

IN THE COURT OF COMMON PLEAS  
OF CUYAHOGA COUNTY, OHIO

~~~~~

VICTORIA D. JOHNSON,

Plaintiff,

vs. Case No. 1:13CV-2012

UNIVERSITY HOSPITALS

PHYSICIAN SERVICES,

Defendant.

~~~~~

Deposition of  
VICTORIA DEBRA JOHNSON, VOL. II

May 29, 2014  
10:00 a.m.

Taken at:  
Giffen & Kaminski LLC  
1300 East 9th Street, Suite 1600  
Cleveland, Ohio

Christine Zarife Green, CRI, Notary Public

1 APPEARANCES:

2  
3 On behalf of the Plaintiff:

4 Herron Law Offices, by  
5 MARK P. HERRON, ESQ.  
6 75 Public Square, Suite 920  
7 Cleveland, Ohio 44113  
8 216-280-2828  
9 herronlaw@msn.com

10  
11 On behalf of the Defendant:

12 Giffen & Kaminski LLC, by  
13 KERIN LYN KAMINSKI, ESQ.  
14 DONALD C. BULEA, ESQ.  
15 1300 East 9th Street, Suite 1600  
16 Cleveland, Ohio 44114  
17 216-621-5161  
18 kkaminski@thinkgk.com  
19 dbulea@thinkgk.com

20 ~ ~ ~ ~ ~  
21  
22  
23  
24  
25

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

TRANSCRIPT INDEX

APPEARANCES..... 276

INDEX OF EXHIBITS ..... 278

EXAMINATION OF VICTORIA DEBRA JOHNSON:  
BY MS. KAMINSKI..... 279

REPORTER'S CERTIFICATE..... 343

EXHIBIT CUSTODY

EXHIBITS RETAINED BY COURT REPORTER

## INDEX OF EXHIBITS

NUMBER	DESCRIPTION	MARKED
Exhibit 48	August 30, 2012 Email.....	299
Exhibit 49	August 2, 2012 Emails.....	301
Exhibit 50	August 3, 2012 Emails.....	302
Exhibit 51	August 2012 Emails.....	303
Exhibit 52	August 2012 Emails.....	307
Exhibit 53	August 30, 2012 Letter.....	309
Exhibit 54	October 1, 2012 Letter.....	310
Exhibit 55	October 8, 2012 Letter.....	321
Exhibit 56	October 8, 2012 Letter.....	322
Exhibit 57	CGS Notes.....	329

1 VICTORIA DEBRA JOHNSON, of lawful  
2 age, called for examination, as provided by the  
3 Ohio Rules of Civil Procedure, being by me  
4 first duly sworn, as hereinafter certified,  
5 deposited and said as follows:

6 EXAMINATION OF VICTORIA DEBRA JOHNSON  
7 BY MS. KAMINSKI:

8 Q. Ms. Johnson, we're here to finish  
9 your deposition that we started some weeks ago.  
10 And I put, in front of you, one of the exhibits  
11 that we ended with, Exhibit 46. And I just  
12 wanted to remind you that during the deposition  
13 you have to answer audibly, yes or no. You  
14 can't do the uhm-hums or uh-uhs, okay?

15 A. Yes.

16 Q. And on the document, 46, that you  
17 have in front of you, is that your handwriting?

18 A. Yes.

19 Q. And can you help me read those  
20 notes? Start with the left-hand side. It  
21 looks like "PR," is that procedures?

22 A. Procedures, yes.

23 Q. "Are unlawful;" is that correct?

24 A. Yes.

25 Q. "And I want" -- help me with that.

1           A.       "Nonhostile, unethical, integrity  
2 receipt, duties in a non" -- I was just  
3 scribbling. "Insisting that I, compromising  
4 position, FMLA." Phone number, "216-844-6088,  
5 Carol Ladaika, 12:00."

6           Q.       How about along the side there?  
7 "Need to take leave," is that what that says?

8           A.       "Need to take leave. I want to go  
9 back to a stress-free environment."

10          Q.       And when did you take those notes  
11 or write that on the document?

12          A.       That, I don't recall.

13          Q.       You wrote this on a letter that was  
14 sent to you about rescheduling your fit for  
15 duty appointment?

16          A.       Uhm-hum.

17          Q.       Yes?

18          A.       Yes.

19          Q.       Were you talking to somebody about  
20 your fit for duty appointment?

21          A.       That, I don't recall.

22          Q.       You see there's a number there  
23 that's kind of sideways, 201-4095. Do you know  
24 what that is?

25          A.       201 -- no, I don't remember which

1 number that belongs to.

2 Q. And were you supposed to see Carol,  
3 is that why you wrote that phone number in the  
4 noon?

5 A. That, I don't recall.

6 Q. Let's turn to the next page. Is  
7 that also your writing --

8 A. Yes.

9 Q. -- on VJ208?

10 A. Yes.

11 Q. And it says, "Told me I have to see  
12 another psychiatrist, although Dr. Pallas said  
13 he did not see anything" --

14 A. "Indicating concern."

15 Q. And what's that next part?

16 A. "Just to have my" -- what is it?

17 Q. Medication, is that what it is?

18 A. Yes. "Medication reduced."

19 Q. Do you remember why or when you  
20 wrote that note?

21 A. No, I don't remember when I wrote  
22 it. I guess it must have been -- I can't say I  
23 wrote it the same day, but it must have been  
24 because --

25 Yeah, I can't say when I wrote

1       that.

2               Q.       Or why, do you know why you wrote  
3       it?

4               A.       No.

5               Q.       Do you know who told you that you  
6       have to see another psychiatrist?

7               A.       Well, I think that's what Kathy  
8       said.

9               Q.       Because you talked to Kathy on the  
10      phone?

11              A.       Yeah, it may have been. I'm not  
12      sure.

13              Q.       And why did you want the results of  
14      the consultation with Dr. Pallas?

15              A.       Well, it's my information. I mean,  
16      it's about me, it's not about anyone else.

17              Q.       Now, when you say my doctor has  
18      indicated a return to work date of September 4,  
19      what doctor was that?

20              A.       I believe that was Dr. Pallas --  
21      no, Dr. Dutton.

22              Q.       And that return to work, for  
23      September 4, was on the FMLA paperwork you had  
24      him fill out?

25              A.       Yes, but it was never approved.



1           Q.     My question isn't whether it was  
2     approved or not, but whether or not, when you  
3     put the paperwork in from Dr. Dutton, it was  
4     for FMLA leave through the 4th; is that right?

5           A.     Correct.

6           Q.     Did you ever read Dr. Pallas'  
7     report?

8           A.     I read Dr. Pallas' report after I  
9     was discharged. I believe it was some  
10    information I received as part of the packet.

11          Q.     And did you -- did Dr. Pallas tell  
12    you that he recommended you see a different  
13    psychiatrist?

14          A.     On the report it said that.

15          Q.     And did Dr. Pallas tell you that at  
16    the time he saw you?

17          A.     I don't recall. He may have, but I  
18    guess I don't recall.

19          Q.     Did you see another psychiatrist?

20          A.     That's when I went to Dr. Dutton.  
21    I believe it was Kathy who told me that  
22    Dr. Pallas said that. But since I had never  
23    seen the reports, I --

24          Q.     So Kathy told you that Dr. Pallas  
25    had recommended that you see Dr. Dutton?

1 A. Correct.

2 Q. So you went to Dr. Dutton?

3 A. Correct.

4 Q. And he said you should be off work  
5 until September 4?

6 A. Yes.

7 Q. And then did you ever go back to  
8 Dr. Dutton?

9 A. No.

10 Q. You just went the one time?

11 A. Yes. He refused to see me after  
12 that.

13 Q. And do you know why that is?

14 A. Well, he said that he was on the  
15 board, so it would probably be a conflict for  
16 him to treat me. A board at UH.

17 Q. The board of what?

18 A. Of psychiatry with UH.

19 Q. Did he prescribe you medication?

20 A. No.

21 Q. Okay. So you knew that from  
22 Dr. Pallas, who UH had asked you to see, he had  
23 sent you to Dr. Dutton, and you knew that  
24 Dr. Dutton had --

25 A. No, he didn't send me to

1 Dr. Dutton.

2 Q. Oh.

3 A. It was because she said that I  
4 needed to go see a psychiatrist. He didn't  
5 specifically say Dr. Dutton.

6 Q. So you went to see Dr. Dutton,  
7 though, as a result of him saying you needed to  
8 see a psychiatrist, right?

9 A. Right. Per Kathy.

10 Q. And that psychiatrist said you  
11 could return to work on September 4, correct?

12 A. Correct.

13 Q. And you knew that?

14 A. Yes.

15 Q. And then if you go back, still on  
16 Exhibit 46, back to Page VJ215, you see that  
17 there's more handwriting there.

18 A. Yes.

19 Q. And to me it says "Answer is on.  
20 Provider is not at this location." Is that  
21 your handwriting?

22 A. Yes. It says "Answer is no.  
23 Provider is not at this location."

24 Q. Okay. Did you doubt that Carol  
25 Meisler had talked to Shamekia's supervisor?

1           A.     No, I wouldn't say -- I can't  
2     remember, at the time. She said -- we were  
3     just getting conflicting answers. I was  
4     getting a conflicting answer from Carol and  
5     then a conflicting answer from Shamekia.

6           Q.     But you knew that Carol was  
7     appointed to try to get to the bottom of what  
8     you should do, correct?

9           A.     Yes.

10          Q.     And you believe -- you don't have  
11     any reason to believe that Carol is a liar, do  
12     you?

13                 MR. HERRON: Objection. You can  
14     answer, if you know.

15          A.     I can't say -- I wouldn't just  
16     arbitrarily say she's a liar, but she may not  
17     have been giving the supervisor the whole  
18     scenario.

19          Q.     Do you have a reason to believe she  
20     wasn't giving the supervisor the whole  
21     scenario?

22                 MR. HERRON: Objection. You can  
23     answer, if you know.

24          A.     That, I don't know.

25          Q.     So let's assume that she was giving

1 the supervisor the whole scenario, explaining  
2 exactly what you were doing correctly, and then  
3 Carol comes back and tells you, I've talked to  
4 the supervisor, and go ahead and tell them that  
5 the provider can be reached at this number,  
6 they accept that. Can you assume that for a  
7 minute?

8 A. I'll try.

9 MR. HERRON: I'll make an objection  
10 to operating on assumptions because that's --  
11 facts are not in evidence as to what your  
12 assumptions are.

13 MS. KAMINSKI: Good.

14 Q. If we assume that, then her  
15 direction to you was a proper direction, would  
16 you agree?

17 MR. HERRON: Object to that. And  
18 you can answer, if you know.

19 A. Again, I'm getting two different  
20 answers. You can call a customer service line  
21 and get two different answers, so I don't know  
22 what was being told to the supervisor or what.

23 She also came back with three or  
24 four different scenarios. So at that point I'm  
25 like, she really -- I don't know where to go

1 with this because she came back with two  
2 different scenarios.

3 Q. Who came back with two different  
4 scenarios?

5 A. Carol.

6 Q. All right. And so tell me what  
7 that means. What two different scenarios did  
8 Carol come back with?

9 A. She told us that the supervisor  
10 said we can put the number there, and we're  
11 supposed to answer the phone as -- which she's  
12 stating here. Then another time she said that  
13 we could put the number of the main hospital,  
14 and the operator would answer and say the  
15 doctor could be reached there directly.

16 Q. Well, Carol never told you that's  
17 how you should fill out the forms, that you  
18 should put the main hospital number, did she?

19 A. No, she didn't. She said that CGS  
20 said it was okay if we did.

21 Q. But the circumstances under which  
22 she said CGS said it was okay, she was kind of  
23 telling you, This is even better than just  
24 putting a main number down, right?

25 A. I can't assume that.

1                   MR. HERRON: Objection to the  
2                   characterization.

3                   Q.     You didn't understand that, that  
4                   when she wrote and said to you that CGS said  
5                   that even the main hospital number would be  
6                   acceptable, that that was a step further  
7                   removed from the doctor than you?

8                   A.     I'm not understanding.

9                   MR. HERRON: Objection to the  
10                  characterization.

11                  Q.     You don't understand that?

12                  A.     No, I'm not understanding what  
13                  you're trying to say.

14                  Q.     Okay. Let's go to the next page,  
15                  VJ227. Is that your writing?

16                  A.     Yes.

17                  Q.     And does it say, "She saw me return  
18                  from McDonald's. I went on my break to pick up  
19                  my lunch." What does that say then?

20                  A.     "Twelve minutes to McDonald's and  
21                  back."

22                  Q.     "There a group in billing services  
23                  that walks on their break" --

24                  A.     "Which is longer than 15 minutes."

25                  Q.     -- "which is longer than 15

1 minutes." Now, why did you write this note?

2 A. I guess I was trying to explain  
3 myself for what she had written. It says  
4 "Please note that when requesting that you have  
5 worked through lunch that if you leave the  
6 building to go out and get lunch to bring back  
7 to your desk, that is not considered working  
8 through lunch. Please do not ask me to approve  
9 'no lunch' if that is the case."

10 Q. Why did you think that was aimed at  
11 you?

12 MR. HERRON: Objection. I don't  
13 think she testified that she felt that it was  
14 aimed at her.

15 Q. Does your note indicate that you  
16 were concerned that this was aimed at you?

17 A. That, I can't say.

18 Q. Why did you write this note?

19 A. I don't know.

20 Q. You don't know why you wrote the  
21 note?

22 A. No.

23 Q. You wrote it on this, it's talking  
24 about lunch, and it seems like it's saying that  
25 what you did is better than what some other



1 people did, right?

2 MR. HERRON: Objection to your  
3 characterization.

4 A. No, that's not true.

5 Q. It doesn't say that? "She saw me  
6 return from McDonald's." Who's the she?

7 A. That, I don't know.

8 Q. Would it be Sheryl Johnson?

9 A. It could have been.

10 Q. But you don't recall?

11 A. No.

12 Q. "I went on my break to pick up my  
13 lunch. Twelve minutes to McDonald's and back."  
14 Had you turned in that day for a no lunch?

15 A. No, I don't remember.

16 Q. "There is a group in billing  
17 services that walks on their break which is  
18 longer than 15 minutes." Why were you  
19 comparing yourself -- or why do you have that  
20 about the billing services there if it's not a  
21 comparison to you?

22 A. I don't know.

23 Q. You have no idea why you wrote this  
24 note or what it means?

25 A. No.

1           Q.     Is there anything that you would  
2 look at or could do to refresh your mind?

3           A.     She never said she caught me. I  
4 don't know why I wrote it. She never said that  
5 I went to McDonald's or returned.

6           Q.     Okay. When did you write that  
7 note?

8           A.     That, I don't remember.

9           Q.     Let's go to VJ240, in that same  
10 Exhibit 46. Again, your writing?

11          A.     246?

12          Q.     Yeah. 240.

13          A.     240. Yes.

14          Q.     It says, "Christina came to my desk  
15 Tuesday, dozed off. She asked me if I was on  
16 my break." And then what did it say?

17          A.     "If I was on my break. Yes. On my  
18 break. Not if I was okay. She knows I'm on  
19 medication."

20          Q.     Who is the Christina that came to  
21 your desk?

22          A.     Well, yeah, this is Christina  
23 Morrison.

24          Q.     And what led you to write it on the  
25 email that is 240?

1           A.     I don't remember.

2           Q.     And why are you noting that she  
3     asked if you were on your break and not if you  
4     were okay?

5           A.     That, I don't remember either.

6           Q.     Let's go back and look at Exhibit  
7     35. Here, this is Exhibit 35.

8           A.     Yes.

9           Q.     That's the exhibit that we had  
10    looked at before where Carol mentions that it  
11    was -- that CGS approved calling a general  
12    billing number, correct?

13           MR. HERRON: Objection.

14           A.     Excuse me, what was your question?

15           Q.     That has a reference by Carol  
16    Meisler to calling a general billing number,  
17    correct? A general hospital number.

18           MR. HERRON: Objection. What are  
19    you referring to, a general billing number or a  
20    general hospital number? It's two different  
21    things.

22           MS. KAMINSKI: Hospital number.

23           A.     To use UH's telephone number. It  
24    says UH's telephone number.

25           Q.     Let me see the document here. She

1       says, if you look at this email, in the middle,  
2       it says -- this is from Carol Meisler to you,  
3       correct?

4             A.       Yes.

5             Q.       It says, "Hello Victoria. Good  
6       news. I just spoke to Ms. Kim. Per Ms. Kim,  
7       there is no problem for UH to use UH's  
8       telephone numbers as a contact number in the  
9       application," right?

10            A.       Correct.

11            Q.       "There is no expectation that a  
12       physician will answer the telephone directly,"  
13       correct?

14            A.       Correct.

15            Q.       And then she says, "For example,  
16       per Ms. Kim, she works with a large hospital  
17       system that provides the hospital's main  
18       telephone number and the hospital's operator  
19       answers the telephone," correct?

20            A.       Yes.

21            Q.       "FYI" -- I can't read that from  
22       here. "FYI, I was very clear with her  
23       regarding your concerns, and she assured me  
24       that UH complies with CGS's expectations."

25                    So are you aware of any other

1 reference, to you, by Carol Meisler that she  
2 made to using a general hospital operator  
3 number?

4 A. Well, it says here, according to  
5 her conversation with Ms. Kim, Ms. Kim says  
6 that it's okay for us to use the main hospital  
7 number.

8 Q. That's how you read that?

9 A. Yes.

10 Q. Okay. And did you think this was a  
11 direction to you that you would use the main  
12 hospital number?

13 A. According to her email, that's what  
14 it seems like she's telling us to do.

15 Q. And that's how you read it?

16 A. Right.

17 Q. You took this as telling you you  
18 should use the main number?

19 A. Yes.

20 Q. Why don't you read that one more  
21 time and make sure that that's how you read  
22 that. If it is, that's fine.

23 A. Yes. And I also responded to that  
24 and said that -- I asked her if she was going  
25 to tell everybody in the meeting that we can

1 use that main hospital number. And she came  
2 back and said, No, I did not tell you to use  
3 the main hospital number.

4 Q. So was there still any confusion in  
5 your mind after she said --

6 A. There is confusion.

7 Q. There is?

8 A. Yeah.

9 Q. Okay. If you're confused, you're  
10 you're confused. We can't --

11 One of the claims that you've  
12 brought, in this lawsuit, is for retaliation,  
13 are you aware of that?

14 A. Yes.

15 Q. What is it that you believe you  
16 were retaliated for?

17 MR. HERRON: Objection. Calls for  
18 a legal conclusion.

19 Q. Go ahead.

20 MR. HERRON: You can answer.  
21 Obviously, if you understand her question,  
22 obviously, you can answer it, and please do so.

23 A. Because I was asked to lie on the  
24 application, and I didn't.

25 Q. So that's when you felt that UH was

1 taking retaliatory steps against you, is when  
2 you refused to lie?

3 A. Yes.

4 MR. HERRON: Objection. Calls for  
5 legal conclusions, again.

6 Q. Is there any other time that you  
7 felt you were retaliated against?

8 MR. HERRON: Same objection. Calls  
9 for legal conclusions.

10 MS. KAMINSKI: Not much of one  
11 since she uses the word retaliation throughout  
12 her correspondence and letters that she writes.

13 Q. I'm using retaliation the way you  
14 used it.

15 A. Right. Again, when I was written  
16 up twice, after reporting Paul, and it had no  
17 merit, I felt I was retaliated against.

18 Q. Anything else?

19 MR. HERRON: Same objection.

20 A. Those were the -- yeah, two  
21 instances I felt I was retaliated against.

22 Q. And just to be clear, those two  
23 times, when you were written up, those never  
24 went into your record?

25 A. Correct.

1           Q.     As to the retaliation on the  
2     refusal to lie on the application, who do you  
3     believe retaliated against you?

4           MR. HERRON:   Same objection.  
5     Again, calls for a legal conclusion.

6           A.     UH.

7           Q.     Who at UH?

8           A.     Who is responsible for dismissing  
9     me?

10          Q.     And who do you think is responsible  
11     for dismissing you?

12          A.     Steve Riddle.

13          Q.     Anybody else?

14          A.     Well, he gives the directive, so I  
15     guess everybody has to follow.   But yeah, he's  
16     responsible.

17          Q.     So for you, Steve Riddle is the  
18     person that retaliated against you?

19          A.     Yes.

20          Q.     Anybody else?

21          MR. HERRON:   Same objection.  
22     Again, calls for legal conclusions.

23          A.     Like I said -- I mean, overall,  
24     he's the person responsible for dismissing me.  
25     He signed off on my --



1           Q.     Right. But is there anybody else  
2     that you think retaliated against you?

3           MR. HERRON: Same objection.

4           A.     Probably Sheryl Johnson, she's the  
5     one that's responsible for writing me up.

6           Q.     Anybody else?

7           MR. HERRON: Same objection.

8           A.     That's it.

9           Q.     Okay.

10                   - - - - -

11                   (Thereupon, Deposition Exhibit 48,  
12                   August 30, 2012 Email, was marked  
13                   for purposes of identification.)

14                   - - - - -

15           Q.     Show you what we'll mark as Exhibit  
16     48. This is an email to Bianca. And Bianca  
17     served in the same role as you did; is that  
18     correct?

19           A.     Yes.

20           Q.     And she got an email from CGS. Are  
21     you familiar with Patricia Parham?

22           A.     No.

23           Q.     Saying that she had just left a  
24     message. Patricia says that she just left a  
25     message for Bianca, and asked her to call back

1 to verify that Dr. Zhang can be reached at the  
2 number that was called. Did you have occasion  
3 where this happened with you, where CGS would  
4 leave you a message and ask you to call back?

5 A. No. No. They would call -- if I  
6 wasn't at my desk, they would call and --  
7 because my phone says Victoria Johnson,  
8 provider enrollment. I almost want to say that  
9 most of the time, or -- I mean, there may be a  
10 time when she called. I don't think she sent  
11 me an email. I can't recall.

12 Q. Let me make sure my question is  
13 clear. I'm not asking you if Patricia, in  
14 particular, called or if she sent you an email.  
15 I'm asking, did you have occasion where CGS  
16 called and left a message for you to call back  
17 to confirm the telephone number?

18 A. I don't recall that.

19 This right here, also, I guess must  
20 have been after --

21 MR. HERRON: She hasn't asked you a  
22 question.

23 Q. What did you say? What did you  
24 want to say? Go ahead.

25 A. I was just -- the date on here is

1 August 30, 2012.

2 Q. Right.

3 A. I wasn't working then.

4 Q. I understand that.

5 A. Okay.

6 Q. I was asking if you ever had  
7 anything like this happen from CGS with you?

8 A. I don't recall.

9 - - - - -

10 (Thereupon, Deposition Exhibit 49,  
11 August 2, 2012 Emails, was marked  
12 for purposes of identification.)

13 - - - - -

14 Q. I'll show you what I've marked as  
15 Exhibit 49.

16 You want to just keep these in a  
17 pile in front of you so we keep the originals  
18 separate?

19 A. Okay.

20 Q. Thank you. On August 2 you wrote  
21 to Sheryl asking to pick up some personal  
22 belongings; is that correct?

23 A. Yes.

24 Q. And were you able to pick those up?

25 A. No.

1 Q. Why not?

2 A. She never responded -- she said she  
3 would have Christine call me. And I called the  
4 person, the receptionist, downstairs in the  
5 building and asked if I could come in to pick  
6 them up, and she said she was told I wasn't  
7 allowed in the building anymore.

8 Q. And on August 2, did you assume  
9 that you were not coming back to work, is that  
10 why you were picking up your items?

11 A. No, I had my calendars and my  
12 shoes.

13 Q. So you still thought you were  
14 coming back to work?

15 A. Yes.

16 Q. It says, "Please place these items  
17 in a sealed envelope and leave them at my front  
18 desk." Did you expect them to place your shoes  
19 in an envelope?

20 A. My calendars, yes. Not my shoes.

21 - - - - -

22 (Thereupon, Deposition Exhibit 50,  
23 August 3, 2012 Emails, was marked  
24 for purposes of identification.)

25 - - - - -

1           Q.     I'll show you what I've marked as  
2     Exhibit 50. This is an email chain indicating  
3     that you were following up on your request for  
4     FMLA; is that correct?

5           A.     Yes.

6           Q.     So you knew who to write at UH in  
7     order to find out about that, correct?

8           A.     Yes.

9           Q.     Okay.

10                   - - - - -

11                   (Thereupon, Deposition Exhibit 51,  
12                   August 2012 Emails, was marked for  
13                   purposes of identification.)

14                   - - - - -

15           Q.     I'll show you what I've marked as  
16     Exhibit 51. Bronxvikki@aol.com is you, right?  
17     That's your home email account?

18           A.     Yes.

19           Q.     And you're sending to Kathy  
20     Springer your return to work as it relates to  
21     your fitness for duty, right?

22           A.     Yes.

23           Q.     Did Dr. Dutton say why he didn't  
24     want to communicate with anyone?

25           A.     No, he didn't.

1           Q.     How did you learn that he didn't  
2     want to communicate with anyone?

3           A.     Kathy told me.

4           Q.     So if Kathy told you that, why are  
5     you telling that to Kathy again?

6           A.     Okay. He may have told me, I'm not  
7     sure. It says here, "Does not wish to  
8     communicate with anyone." He may have told me  
9     that, I don't recall.

10          Q.     Because Kathy is actually writing  
11     you saying, Look, you've told us that your  
12     doctor said return to work September 4, but  
13     they haven't received that. And so you're  
14     sending it to them. You actually got the  
15     return to work for fitness for duty from  
16     Dr. Dutton, and you're sending it to Vikki,  
17     right?

18          A.     Sending it to Vikki?

19          Q.     Kathy, I'm sorry.

20                 MR. HERRON: She's Vikki.

21                 MS. KAMINSKI: Yeah, I know. Thank  
22     you.

23          A.     I'm sending her a copy of the FMLA  
24     paperwork. It has to be approved, but this is  
25     what he gave to me to have approved.

1           Q.     But if you look at what's attached,  
2     what you were sending to Kathy. This is  
3     Dr. Dutton indicating, as you say, that you're  
4     fit for --

5           A.     Right, for me to return to FMLA  
6     paperwork.

7           Q.     On 8-4-12, correct?

8           A.     Yes.

9           Q.     And you considered this to be about  
10    your FMLA and about your fitness for duty,  
11    right?

12          A.     My fitness for duty, yes. Because  
13    she asked me to have another psychiatrist --  
14    she asked me to go see another psychiatrist.

15          Q.     So as far as you're concerned, as  
16    of August 20, you fulfilled the fitness for  
17    duty and you have sent them a form, by  
18    Dr. Dutton, that shows you're fit for duty as  
19    of 8-4-12, correct? I'm sorry --

20          A.     No, 9-4-12.

21          Q.     9-4-12. Yeah.

22          A.     He said I can return to work.

23          Q.     Right.

24          A.     Yes.

25          Q.     So he said that you were not fit

1 for duty for the time of 8-4-12 until 9-4-12,  
2 correct?

3 A. Well, no, he -- okay. First seen  
4 was 8-4, continuing. Right. Yeah, so that  
5 would be a month, yes.

6 Q. So UH had asked you to go out and  
7 get a fit for duty evaluation, and the  
8 psychiatrist you saw said that for a month you  
9 weren't fit for duty, correct?

10 A. Well, that's what he's saying, yes.

11 Q. And so he agreed with your family  
12 physician, that you had seen, that said you  
13 needed to be off on FMLA leave because you  
14 weren't fit to work, correct?

15 A. Correct.

16 Q. So we have two doctors that say you  
17 weren't fit to work, at least up until 9-4-12,  
18 correct?

19 A. Correct.

20 Q. And you didn't have any confusion,  
21 in your mind, that a doctor was saying you  
22 could return to work on 9-4-12, did you?

23 A. Correct.

24 Q. And as of 9-4-12, what did you then  
25 do as far as returning to work?



1           A.     Well, I sent this to Kathy  
2     Springer, and it was her that was supposed to  
3     -- it was she that was supposed to tell me to  
4     come back to work, which she never did.

5           Q.     All right. So you think when you  
6     send in the paperwork that says you can be out  
7     until 9-4-12, then on 9-4-12 UH then has to  
8     tell you to come back to work?

9           A.     Yes.

10          Q.     Okay. So it looks like, to me,  
11     when I look at Exhibit 49 and 50, that if you  
12     needed something from UH, or you knew UH needed  
13     something from you, you knew who to ask or who  
14     to correspond with; is that correct?

15          A.     For the most part.

16                     - - - - -

17                     (Thereupon, Deposition Exhibit 52,  
18                     August 2012 Emails, was marked for  
19                     purposes of identification.)

20                     - - - - -

21          Q.     Let me show you what we've marked  
22     as Exhibit 52. This is August 21, 2012 at  
23     in the morning, and you're writing Deborah  
24     Rogers, do you see that?

25          A.     Yes.

1           Q.     And this is basically saying that  
2     you want to get paid for the time that you were  
3     in the office, the three plus hours that you  
4     worked on the day, correct?

5           A.     Yes.   That was in July.

6           Q.     Right.   And this was the day that  
7     you went in and they said they wanted you to do  
8     a fit for duty evaluation, and you just left  
9     and went to your doctor and had him say that  
10    you needed FMLA, correct?

11          A.     During that meeting, yes.

12          Q.     Pardon me?

13          A.     During that meeting.

14          Q.     Right.   So you're looking to get  
15    paid for that time, correct?

16          A.     Yes.

17          Q.     And you knew who to write at UH to  
18    have that discussion, correct?

19          A.     She contacted me -- Deborah  
20    contacted me and asked me if I worked that day,  
21    and I was just explaining to her that I was  
22    there until 10:30.

23          Q.     Okay.

24                   -   -   -   -   -

25                   (Thereupon, Deposition Exhibit 53,

1                   August 30, 2012 Letter, was marked  
2                   for purposes of identification.)

3                   - - - - -

4                   Q.     Let me show you what I've marked as  
5                   Exhibit 53. That's your address, right, 3646  
6                   Lynnfield Road, Shaker Heights, Ohio?

7                   A.     Yes.

8                   Q.     And you received this letter?

9                   A.     I guess I did.

10                  Q.     And this is telling you that they  
11                  know you're not working with Dr. Dutton, and  
12                  that if you don't provide further information,  
13                  no later than September 7, your FMLA leave will  
14                  end, right, as of 8-21-12?

15                  A.     That's what's in the letter, yes.

16                  Q.     And it tells you that you need to  
17                  get the return to work authorization form  
18                  filled out and sent in, correct?

19                  A.     That's what it says here, yes.

20                  Q.     Did you go to see any physician and  
21                  have them fill out the certificate of physician  
22                  for any period of time after 8-21-12?

23                  A.     No.

24                  Q.     Did you submit a certificate of  
25                  physician for September 7 -- by September 7,

1 2012?

2 A. No.

3 Q. Did you have anybody fill out a  
4 return to work authorization form?

5 A. No.

6 - - - - -

7 (Thereupon, Deposition Exhibit 54,  
8 October 1, 2012 Letter, was marked  
9 for purposes of identification.)

10 - - - - -

11 Q. Let me show you what I've marked as  
12 Exhibit 54. So you were told to come back to  
13 work, that your FMLA would end as of 8-21-12,  
14 and you needed a return to work authorization.  
15 And you didn't come back to work at that time,  
16 did you?

17 A. On October 8?

18 Q. Right.

19 A. Yes, I did.

20 Q. No, by September 21.

21 A. Wait, say that again, please.

22 Q. You did not return to work by  
23 September 21 of 2012; is that correct?

24 A. September?

25 Q. August. I'm sorry. August 21?

1 A. No.

2 Q. And you didn't submit any further  
3 paperwork for additional leave of any type,  
4 correct?

5 A. Correct.

6 Q. And then on October 1 you were  
7 sent this letter telling you that your leave of  
8 absence ended on August 21, 2012; is that  
9 correct?

10 A. Correct.

11 Q. Which you knew from the prior  
12 letter, which is Exhibit 53, correct?

13 A. Yes.

14 Q. Despite that, you had not come back  
15 to work, and so they tell you to come back to  
16 work October 8; is that correct?

17 A. Yes.

18 Q. It says in the middle there, "We  
19 have reached out to you several times and have  
20 had no response from you, and our certified  
21 letters have been returned unclaimed by you;"  
22 is that correct?

23 MR. HERRON: If you know.  
24 Objection.

25 A. I don't recall any letters being

1 returned.

2 Q. Had you had any communication with  
3 Christina Morrison from August 21, 2012 until  
4 this letter, dated October 1, 2012?

5 A. No.

6 Q. I'll show you what we've marked as  
7 Exhibit 55. Oops, I'm sorry. Let me show you  
8 what was previously marked as Exhibit 47. This  
9 is your letter to Christina Morrison dated  
10 October 5, 2012, is it not?

11 A. Yes.

12 Q. And you wrote this letter, right?

13 A. Yes.

14 Q. Did anybody help you write the  
15 letter?

16 A. No.

17 Q. You said that you would return to  
18 work on October 8, but you say that you were  
19 concerned about several things. And you say,  
20 "First, I have contacted Medicare with respect  
21 to my supervisor's continued insistence that I  
22 use the billing center address and phone  
23 number." Who did you contact at Medicare?

24 A. I think her name was Mrs. White.  
25 Don't quote me on that. But I contacted the

1 supervisor and the compliance officer.

2 Q. And what kind of communications did  
3 you have with them?

4 A. I spoke to the supervisor and she  
5 said that she believes that the number was  
6 correct, but if I had any other questions to  
7 talk to the compliance officer, which I did.

8 And the compliance officer asked me  
9 the name of a couple providers which I was  
10 talking about, and I gave her two or three  
11 names. And she -- I guess she must have  
12 investigated it, but she never returned the  
13 call after that. She said she would, but she  
14 never returned the call after that.

15 Q. So when you called Medicare, the  
16 first person told you that the number would be  
17 acceptable, correct?

18 A. Yes.

19 Q. And then the next person you talked  
20 to took some names and was going to investigate  
21 it, correct?

22 A. Correct.

23 Q. So even after Medicare told you  
24 that it was acceptable, and you didn't hear  
25 back about the investigation, that there was

1     some problem, you still determined that it was  
2     improper?

3             A.     Yes. I don't believe I explained  
4     to the supervisor that we were supposed to put  
5     the number of -- our number, as far as the  
6     person who is helping complete the application  
7     versus the provider's number, which is supposed  
8     to be the direct contact number.

9             Q.     So when you were calling and  
10    talking to the supervisor, you don't think you  
11    explained the situation very well?

12            A.     No, I don't think so.

13            Q.     And the day -- was it October 4  
14    that you filed your EEOC complaint?

15            A.     Yes.

16            Q.     And do you know who that EEOC  
17    complaint was faxed to?

18            A.     It says here my attorney faxed  
19    copies.

20            Q.     Do you know who it was faxed to?

21            A.     I have a copy. I don't recall.

22            Q.     You have a copy of the faxes?

23            A.     No. I think -- I don't know  
24    whether I have a copy of the person who it was  
25    sent to. I have a letter of who received it,



1 because the EEOC sent me something.

2 MS. KAMINSKI: Has that been  
3 produced?

4 MR. BULEA: Not that I recall.

5 MR. HERRON: That has all been  
6 produced.

7 MS. KAMINSKI: Okay. We'll find  
8 it.

9 Q. Now, in this writing, at number  
10 three, you say that you're not -- that if  
11 you're going to return to work you should not  
12 be asked to complete the Medicare, Medicaid,  
13 out of state Medicaid and/or any other provider  
14 enrollment applications that are prohibited or  
15 in violation of their rules. Meaning Medicare  
16 rules -- Medicaid rules, right?

17 A. Medicare rules, yes.

18 Q. And you said you wanted to see a  
19 company-wide distributed email informing  
20 employees that they're no longer permitted to  
21 rest at their desks during their breaks. You  
22 meant throughout all of UH?

23 A. I wasn't concerned about UH, just  
24 the building that we're working in. Because it  
25 was -- this email came out during this process

1       that we weren't supposed to be taking breaks.  
2       However, there were people on the second floor  
3       who was sleeping in the lobbies during the  
4       breaks.

5               Q.       But you used company-wide instead  
6       of building-wide?

7               A.       I meant to say building-wide.

8               Q.       So just a miscommunication on your  
9       part?

10              A.       Well, it would seem that if it was  
11       in their manual -- I mean, I'm just saying,  
12       now, it would seem if it was in their manual it  
13       would be company-wide, but I was more concerned  
14       about the building.

15              Q.       So on your part, you were asking to  
16       make it a building-wide and not a company-wide,  
17       so this is a miscommunication, correct?

18              A.       Well, like I just said, it seemed  
19       like it would be company-wide if it's going to  
20       be something that's directed towards --

21              Q.       But moments ago you told me you  
22       intended it to be building-wide, that's what  
23       you were concerned about?

24              A.       Yes. But now I'm explaining to you  
25       that it should be company-wide, if it's just --

1           Q.     So now you think you intended  
2 company-wide?

3           A.     Yes.

4           Q.     Every building at UH? All 25 or  
5 30,000 employees should get a memo?

6           A.     Yeah. The manual that we have is  
7 company-wide.

8           Q.     Okay. Five, "Would like to have  
9 confirmed and/or reports that Paul Simmons has  
10 also place on unpaid administrative leave  
11 subject to a mandatory psychiatric evaluation,  
12 as I have reported to HR his offensive, sexual  
13 behavior back in February of 2012."

14          A.     Yes.

15          Q.     And you wanted them to confirm to  
16 you whether or not Paul Simmons had had a  
17 psychiatric evaluation; is that correct?

18          A.     Yes.

19          Q.     And you wanted him put on unpaid  
20 administrative leave, correct?

21          A.     Yes.

22          Q.     And that was one of the conditions  
23 for you to return to work; is that correct?

24          A.     Well, it wasn't a condition. What  
25 I would like to have. It's not conditional.

1 Q. Okay. So you say, "Immediately  
2 upon my returning to work I expect the  
3 following." But that's not a condition. You  
4 would return even if --

5 A. Would like to have confirmed, yes.  
6 It's not a condition.

7 Q. So you would return to work even if  
8 number five wasn't true?

9 A. Yes.

10 Q. Six, "I don't want to be subjected  
11 to retaliatory correction actions, be it formal  
12 or informal. I have yet to receive a copy of  
13 the corrective actions that were presented to  
14 me during my 2011 performance evaluation, that  
15 were clearly retaliatory because of my  
16 complaint to HR regarding Paul Simmons'  
17 offensive sexual behavior."

18 Now, you were told that those  
19 corrective actions were never formally filed,  
20 correct?

21 A. Yes, I was.

22 Q. And were you aware that one of the  
23 reasons they weren't formally filed is that  
24 they were trying to help you be able -- because  
25 you had indicated your desire to move

1 departments?

2 A. They weren't filed because they had  
3 no merit.

4 Q. Were you told that they weren't  
5 filed because you had a desire to move  
6 departments and they were trying to help you be  
7 able to achieve your goal?

8 A. Yes, that's what they told me. So  
9 you create something to make yourself look like  
10 you're the good person.

11 Q. They're just all liars? Were they  
12 just lying to you?

13 MR. HERRON: Objection.  
14 Mischaracterization.

15 A. I have no response to that.

16 Q. Do you think that when they told  
17 you that they were not filing the corrective  
18 action forms in order to help you be able to  
19 move departments that they were lying to you?

20 A. They were being retaliatory.

21 Q. Were they lying, that they were --

22 MR. HERRON: Objection.

23 A. They were lying about -- yes, they  
24 were lying about the write-ups.

25 Q. Were they lying that they didn't

1 file the write-ups in your file?

2 A. No, they told the truth. They  
3 didn't file them.

4 Q. And that the reason they didn't  
5 file them is because they were trying to help  
6 you be able to move departments?

7 A. That's what they said. I don't  
8 know if it's true or not.

9 Q. And if it is true, that they were  
10 trying to help you, that wouldn't be  
11 retaliatory, would it?

12 MR. HERRON: Objection. Calls for  
13 legal conclusions.

14 A. Retaliatory is that they wrote them  
15 up, yes.

16 Q. But it wouldn't be retaliatory if  
17 they were trying to help you move departments,  
18 would it?

19 A. They hold no merit, so them putting  
20 it in my folder doesn't make -- it doesn't  
21 matter.

22 MS. KAMINSKI: Would you read back  
23 the question?

24 Listen to the question and see if  
25 you can answer what I've asked you, okay?

1           (Thereupon, the record was read.)

2           MR. HERRON: Same objection.

3           A. Well, not that, but they were  
4 retaliatory for writing them up.

5           Q. What was the first thing you said?  
6 Not -- to try to help you move departments is  
7 not a retaliatory act, is it?

8           A. That's not a retaliatory act.

9           Q. Okay. That's what I wanted to say.

10          A. But the fact that they wrote them  
11 up is retaliatory.

12          Q. I got that. Let's look at Exhibit  
13 55 together.

14                       - - - - -

15           (Thereupon, Deposition Exhibit 55,  
16 October 8, 2012 Letter, was  
17 marked for purposes of  
18 identification.)

19                       - - - - -

20          Q. This is a response to the October 5  
21 letter that we just looked at as Exhibit 47,  
22 correct?

23          A. Yes.

24          Q. And in this letter they take, kind  
25 of, point by point the six things that you had

1 listed in your October 5 letter, correct?

2 A. Yes.

3 Q. Is there -- okay. And did you  
4 receive this letter?

5 A. Yes, the day that I returned to  
6 work.

7 Q. Okay.

8 - - - - -

9 (Thereupon, Deposition Exhibit 56,  
10 October 8, 2012 Letter, was marked  
11 for purposes of identification.)

12 - - - - -

13 Q. Let me show you what I've marked as  
14 Exhibit 56. This is a letter that was written  
15 after you had your meeting on October 8,  
16 correct?

17 A. Yes.

18 Q. I just want to go through it and  
19 make sure if there's any corrections that you  
20 would make into the accounting of what  
21 happened. Starting at the -- I guess we'll  
22 start at the top. "This letter confirms the  
23 result of your meeting with Angelique," the  
24 director of human resources, correct? And you  
25 did meet with Angelique and with --



1 A. Christina.

2 Q. -- Christina Morrison, correct?

3 A. Yes.

4 Q. And you knew that on October 1 they  
5 had sent you a letter, formal notification to  
6 return to work, correct?

7 A. Yes.

8 Q. And they reviewed with you and  
9 discussed the concern you raised in your  
10 October 5 letter, right?

11 A. Yes.

12 Q. And they informed you that you  
13 would be expected to perform all your job  
14 duties and responsibilities as a provider  
15 enrollment specialist, correct?

16 A. Yes.

17 Q. And that included appropriately  
18 completing the Medicare, Medicaid, and other  
19 provider applications, correct?

20 A. Yes.

21 Q. And they said it was an essential  
22 function of the job. And you agree with that,  
23 don't you?

24 A. Yes.

25 Q. And that you informed them that you

1 would not complete the provider applications as  
2 instructed, and if instructed to do so you  
3 would refuse to do them; is that accurate?

4 A. Continuing to put my phone number,  
5 in which I -- in order for me to verify I have  
6 to lie, so yes, that goes hand in hand.

7 Q. So that's how you were being  
8 instructed to do it, is to put your phone  
9 number down, correct?

10 A. Yes.

11 Q. And you indicated you wouldn't do  
12 that, correct?

13 A. Yes.

14 Q. And it says, "As you are aware,  
15 your concerns previously brought forth relating  
16 to this matter were reviewed and investigated.  
17 A response was sent to you from Cheryl Wahl,  
18 with a statement that the departmental  
19 practices are (and were) appropriate." That  
20 was discussed with you, correct?

21 A. Yes.

22 Q. And you were told that you were  
23 going to be expected to do your job duty as  
24 directed, correct?

25 A. Yes.

1           Q.     And you were asked if you were  
2     refusing to perform that essential function of  
3     your job, and you said yes; is that accurate?

4           A.     Yes.

5           Q.     And it was explained to you that UH  
6     would give you 24 hours to reconsider, and that  
7     if you continue to refuse to perform your job  
8     duties you would be terminated. You were told  
9     that, correct?

10          A.     Yes.

11          Q.     And then you told them you didn't  
12     need 24 hours, that you weren't going to  
13     complete the provider applications as  
14     instructed, correct?

15          A.     Yes.

16          Q.     And you were, again, told that they  
17     would give you 24 hours, but you stated you  
18     didn't want the 24 hours, correct?

19          A.     Yes.

20          Q.     And therefore they terminated your  
21     employment October 8, for the refusal to  
22     perform the job functions as they ask you to do  
23     them, correct?

24          A.     Yes, which includes lying.

25          Q.     And then they tell you if you're

1 going to fax confidential information to fax it  
2 to a different place, correct?

3 A. Yes.

4 Q. And they sent you a copy of your  
5 discharge and corrective action, correct?

6 A. Yes.

7 Q. As well as a copy of the complaint  
8 resolution policy, correct?

9 A. Yes.

10 Q. And did you receive, under separate  
11 cover, information regarding your benefits?

12 A. My benefits? Can you be specific  
13 with that?

14 Q. It says that you're going to  
15 receive, under separate cover, information  
16 regarding your benefits. Did you receive  
17 anything about your benefits?

18 A. That, I don't recall.

19 Q. Okay. Have you done your 2013 tax  
20 return?

21 A. Yes.

22 Q. What was your income last year?

23 MR. HERRON: Objection. We gave  
24 you all that information.

25 MS. KAMINSKI: You gave us 2012,

1       didn't you?

2                   MR. BULEA:   He gave us 2013.

3                   MS. KAMINSKI:  Oh, we got it?

4                   MR. BULEA:   Yeah.   Last week.

5                   MS. KAMINSKI:  Last week?  I just  
6       haven't seen it.

7           Q.       How many houses do you currently  
8       have listed?

9           A.       Two.   Probably two to four.

10          Q.       You don't know how many houses you  
11       have listed?

12          A.       Listed?  Yes, I think it's two.  I  
13       think it's two.

14          Q.       So how many houses have you sold in  
15       the last four months?

16          A.       I don't remember the exact number.

17          Q.       Approximately?

18          A.       Oh, I can say ten.

19          Q.       So you had a good last four months?

20          A.       Well, these are all bank-owned  
21       properties.  They don't net much.

22          Q.       But selling ten is pretty good?

23          A.       Yeah, volume-wise.

24          Q.       Are you doing anything other than  
25       your real estate work at this point in time?

1 A. No.

2 Q. Are you looking for any other work?

3 A. No.

4 Q. Is your earning level still at or  
5 above the earning level that you had when you  
6 worked at UH?

7 MR. HERRON: Objection to the  
8 phrase earning.

9 A. Aside from real estate?

10 Q. No, in general. Are you making as  
11 much money --

12 A. Well, last year I did.

13 Q. Right.

14 A. But I had expenses.

15 Q. How about this year? Are you on  
16 track to make as much money as you did when you  
17 were working at UH?

18 A. No.

19 Q. Now, your lawyer provided to us  
20 some documents that were produced to him by  
21 CGS. Have you looked at any of those  
22 documents?

23 A. I haven't had an opportunity.

24 Q. Pardon me?

25 A. I haven't had an opportunity.

1 Q. So no is the answer?

2 A. No.

3 - - - - -

4 (Thereupon, Deposition Exhibit 57,  
5 CGS Notes, was marked for purposes  
6 of identification.)

7 - - - - -

8 Q. This seems to be the kind of notes  
9 that CGS keeps --

10 MR. HERRON: Objection.

11 Q. -- that was produced to us by your  
12 lawyer. And you see in the middle of the page  
13 there it says, "I called 216-383-6614." Was  
14 that your number?

15 A. Yes.

16 Q. "And spoke to Victoria. She  
17 verified that the provider can be reached at  
18 this number;" is that correct?

19 A. Yes.

20 Q. And that was in --

21 A. June 21.

22 Q. June 21 of 2012, correct?

23 A. Yes.

24 Q. And this would indicate that she  
25 called you -- the contact back and explained

1       that per the Ohio license website, the  
2       provider's Ohio license is pending. She stated  
3       that she overlooked that information and asked  
4       that the application be withdrawn. She will,  
5       again, submit the application once the provider  
6       is licensed in Ohio; is that correct?

7             A.       Yes.

8             Q.       So that was -- so at that time the  
9       application, that's being discussed in here,  
10      the problem was not that they couldn't contact  
11      you, the problem was that you had overlooked  
12      some information on the application, correct?

13            A.       Yes.

14            Q.       And you were the right person for  
15      them to talk to about that application,  
16      correct?

17            A.       Yes.

18            Q.       Did you have occasion when you  
19      worked at UH, in the provider specialist role,  
20      to have CGS ever call and ask to talk to the  
21      doctor?

22            A.       They -- I'm trying -- I've never  
23      got a phone call where they asked to talk to  
24      the doctor. I've gotten phone calls from  
25      patients to ask to talk to the doctor, and I



1 tell them that they couldn't be reached there.  
2 But I don't recall CGS, they never called to  
3 ask to speak to the doctor.

4 Q. You got calls from patients. Did  
5 you give the patients the right number to call  
6 since you had the directory right there?

7 A. We couldn't transfer them, but --

8 Q. Did you give them the right number,  
9 though?

10 A. Yes.

11 Q. You did?

12 A. Uhm-hum.

13 Q. You didn't just let the patients --

14 A. Yeah, I wouldn't do that.

15 Q. Now, but for CGS's purposes, when  
16 they called you and needed to know this  
17 information about the Ohio license, you were  
18 the right person to be called, correct?

19 A. Yes.

20 Q. Because you were the one that  
21 filled out that application and could be most  
22 helpful, correct?

23 A. Yes.

24 Q. And had they called the doctor's  
25 office, the doctor's office would have had to

1 have given them your number, correct?

2 MR. HERRON: Objection.

3 Q. Because you're the one that does  
4 the application?

5 MR. HERRON: Objection.  
6 Speculative.

7 A. The doctor is supposed to provide  
8 us with that information to send to CGS.

9 Q. I understand that. But if CGS had  
10 called the doctor, the doctor's office would  
11 have sent them to you because you're the ones  
12 responsible for the doctor for doing the  
13 applications, correct?

14 MR. HERRON: Objection.  
15 Speculative. If you know what they would have  
16 done, you can --

17 A. They would have contacted their --  
18 at each provider's office there's the -- I  
19 forgot the name of the group. But they're  
20 responsible for the doctors obtaining the  
21 license.

22 Q. Yeah, but we're talking about the  
23 application and whether the application is  
24 missing some information or not.

25 A. Right.

1           Q.     If CGS calls the doctor's office  
2     about missing information on an application,  
3     they would have said, Well, call the people who  
4     do the application.

5           A.     Correct. That's correct. They  
6     would have called the location itself. But the  
7     doctor has to give them permission to contact  
8     us, which we put on the application, again.

9           MR. HERRON: Can we take five?

10          MS. KAMINSKI: Sure.

11          (Recess taken.)

12          Q.     What is your commission structure  
13     for your real estate business?

14          A.     It varies. It's a graduated, so it  
15     starts at 65, and then at some point it goes to  
16     70.

17          Q.     What does 65 and 70 mean? Explain  
18     that to me.

19          A.     I'm sorry. I get 65 percent and my  
20     broker gets 35 percent. Then it changes to --

21          Q.     And what is the commission that you  
22     get on each house?

23          A.     It varies. Most of them are,  
24     like -- bank-owned properties, they're \$1,500,  
25     and it's split 65 percent minus errors and

1 emissions, so it could be about \$800?

2 Q. And nonbank-owned properties?

3 A. It's usually three percent.

4 Q. Three percent of the selling price?

5 A. Yes.

6 Q. The gross selling price?

7 A. Yes. But then that has to be split  
8 between my broker and I.

9 Q. And most of the business that you  
10 do are bank-owned properties?

11 A. Yes.

12 Q. Do you have listings that are not  
13 bank-owned properties?

14 A. No. The two or three listings that  
15 I have, they are bank-owned.

16 Q. And how do you get those listings?

17 A. Well, my broker, he -- I guess I'm  
18 assisting him with the bank-owned properties  
19 until -- I was anticipating going back to UH.

20 Q. When were you anticipating going  
21 back to UH?

22 A. On October 8. And then I can think  
23 that's part of my claim for reinstatement of my  
24 position.

25 Q. So you still want to come back to

1 work for UH?

2 A. Yes.

3 Q. Now, remember the March review that  
4 you got that had the two write-ups, that  
5 weren't put in your file. You know what I'm  
6 talking about, don't you?

7 A. Yes.

8 Q. The time period.

9 A. Yes.

10 Q. After that March write-up, March  
11 review and the two write-ups, did you incur any  
12 pay cut?

13 A. Any pay cut?

14 Q. Yes.

15 A. No, I never got a pay cut.

16 Q. Did you get a pay raise?

17 A. No, I didn't get a pay raise.

18 Q. Did anybody get a pay raise at that  
19 time?

20 A. I don't know. That's personal  
21 information.

22 Q. Were you given less vacation after  
23 that March meeting?

24 A. After that March meeting, no. I  
25 didn't earn any vacation during my time off

1 from July through October.

2 Q. And after that March meeting, did  
3 the place that you sit change at all?

4 A. No.

5 Q. Did you have a different supervisor  
6 after that March meeting?

7 A. No.

8 Q. Were you supposed to have any type  
9 of -- were you expecting any promotion in  
10 March?

11 A. No.

12 Q. Did your day-to-day activities  
13 change in any way after March?

14 MR. HERRON: Objection to form.

15 Q. Your duties, did your duties  
16 change?

17 MR. HERRON: That's better.

18 A. Yes, they did.

19 Q. And how did they change?

20 A. Well, the person from the IT  
21 department, she left. And I guess instead of  
22 them hiring someone to replace her, they made  
23 it mandatory that we perform the duties that  
24 she had. And -- well, that was another thing  
25 we had to do. When we got the PINs from

1 Medicare, with regard to the application, you  
2 know, for Medicare enrollment, we were told to  
3 immediately put them into the system. So  
4 that's what the extra duties were.

5 Q. Okay. And did everybody in your  
6 department have those extra duties?

7 A. Yes.

8 Q. On October 8, when you went into  
9 work, were you intending to be employed at UH  
10 after that?

11 A. Yes.

12 Q. And if you had said that you would  
13 put down your phone number on the applications,  
14 would you still be employed there?

15 A. No, because I would have to lie,  
16 also.

17 MR. HERRON: Objection.  
18 Speculative.

19 Q. Because what?

20 A. I would have to continue to lie,  
21 also.

22 Q. Yeah, that's not what I'm asking.  
23 I'm saying that if you had told them, I'll put  
24 down my phone number, and agreed to do that,  
25 agreed to put down your phone number, would you

1 have been fired that day?

2 MR. HERRON: Objection.

3 Speculative.

4 A. That, I don't know because they  
5 both go hand in hand.

6 Q. Right. So, for you, the only  
7 reason you know of that you were fired is once  
8 you said you would not put that phone number  
9 down, right?

10 MR. HERRON: Objection. You can  
11 answer, if you know.

12 A. That, I don't know.

13 Q. That's what you were told on that  
14 day, right?

15 A. They expected me to continue to  
16 perform my duties as I had in the past.

17 Q. Right.

18 A. And that would entail putting the  
19 number down, and then also lying to verify.

20 Q. And?

21 A. And completing the applications on  
22 behalf of the doctors.

23 Q. And they actually told you, Go  
24 think about whether you are willing to do this  
25 or not, because we're going to hold your job



1 for 24 hours while you think about that, right?

2 MR. HERRON: Asked and answered.

3 A. I'm not going to change my position  
4 on that.

5 Q. I understand you're not, but they  
6 said that they would hold your job for 24  
7 hours?

8 A. Yes, they did say that.

9 MR. HERRON: Asked and answered.

10 Q. And was there any other thing that  
11 they wanted you to think about for 24 hours,  
12 other than whether or not you would put the  
13 phone number down that you were being requested  
14 to put down?

15 A. No, that's what they told me it  
16 was.

17 MS. KAMINSKI: We have nothing  
18 further.

19 Have we got all the documents? We  
20 don't have all the medical records yet, right?

21 MR. HERRON: Actually, I think you  
22 do because I went through them last night,  
23 after I got your email, Don. The stuff from  
24 Dr. Abbass --

25 MR. BULEA: Yeah.

1 MR. HERRON: -- whoever, the guy  
2 who did the surgery, is actually in the records  
3 we gave you earlier. The surgical records are  
4 all there. And I think you have everything  
5 from Dr. Dutton, even though he continues not  
6 to respond to my requests. And I don't know  
7 what Bedford ER is.

8 MR. BULEA: She had testified,  
9 during the first deposition, that in mid-August  
10 she went to the emergency because of some  
11 condition.

12 THE WITNESS: Sinus.

13 MR. HERRON: I saw references to  
14 sinuses in there, so I think you have all of  
15 that anyway. It's already in -- I believe it  
16 was Dr. Headen --

17 MR. BULEA: I know Dr. Headen took  
18 notes on the fact that Victoria was reporting  
19 this to her.

20 MR. HERRON: I think you have  
21 everything that exists.

22 MR. BULEA: Okay.

23 MR. HERRON: We got some releases  
24 that she signed if you guys wanna -- I don't  
25 care.

1                   MR. BULEA: Yeah. If you just send  
2                   them over.

3                   MR. HERRON: Have at it. It  
4                   doesn't make a difference to me. You're not  
5                   going to find anything in there that you don't  
6                   already know or that's going to help you in any  
7                   way in this case.

8                   MS. KAMINSKI: Okay. Very good.  
9                   Thank you.

10                  (Deposition concluded at 11:37 a.m.)  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

1 Whereupon, counsel was requested to give  
2 instruction regarding the witness's review of  
3 the transcript pursuant to the Civil Rules.  
4

5 SIGNATURE:

6 It was agreed by and between counsel and the  
7 parties that the Deponent will read and sign  
8 the transcript of said deposition.  
9

10 TRANSCRIPT DELIVERY:

11 Counsel was requested to give instruction  
12 regarding delivery date of transcript.

13 Original: Ms. Kaminski  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

## 1 REPORTER'S CERTIFICATE

2 The State of Ohio, )

3 SS:

4 County of Cuyahoga. )  
5

6 I, Christine Zarife Green, a Notary  
7 Public within and for the State of Ohio, duly  
8 commissioned and qualified, do hereby certify  
9 that the within named witness, VICTORIA DEBRA  
10 JOHNSON, was by me first duly sworn to testify  
11 the truth, the whole truth and nothing but the  
12 truth in the cause aforesaid; that the  
13 testimony then given by the above-referenced  
14 witness was by me reduced to stenotypy in the  
15 presence of said witness; afterwards  
16 transcribed, and that the foregoing is a true  
17 and correct transcription of the testimony so  
18 given by the above-referenced witness.

19 I do further certify that this  
20 deposition was taken at the time and place in  
21 the foregoing caption specified and was  
22 completed without adjournment.  
23  
24  
25

1 I do further certify that I am not a  
2 relative, counsel or attorney for either party,  
3 or otherwise interested in the event of this  
4 action.

5 IN WITNESS WHEREOF, I have hereunto  
6 set my hand and affixed my seal of office at  
7 Cleveland, Ohio, on this 4<sup>th</sup> day of  
8 June, 2014.



12 Christine Zarife Green

14 Christine Zarife Green, Notary Public  
15 within and for the State of Ohio

17 My commission expires October 29, 2017.  
18  
19  
20  
21  
22  
23  
24  
25

DEPOSITION REVIEW  
CERTIFICATION OF WITNESS

ASSIGNMENT NO: 1871104

CASE NAME: Johnson, Victoria D. v. University Hospitals

DATE OF DEPOSITION: 5/29/2014

WITNESS' NAME: Victoria Debra Johnson

In accordance with the Rules of Civil Procedure, I have read the entire transcript of my testimony or it has been read to me.

I have made no changes to the testimony as transcribed by the court reporter.

\_\_\_\_\_  
Date

\_\_\_\_\_  
Victoria Debra Johnson

Sworn to and subscribed before me, a Notary Public in and for the State and County, the referenced witness did personally appear and acknowledge that:

They have read the transcript;  
They signed the foregoing Sworn Statement; and  
Their execution of this Statement is of their free act and deed.

I have affixed my name and official seal  
this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
Notary Public

\_\_\_\_\_  
Commission Expiration Date

DEPOSITION REVIEW  
CERTIFICATION OF WITNESS

ASSIGNMENT NO: 1871104  
CASE NAME: Johnson, Victoria D. v. University Hospitals  
DATE OF DEPOSITION: 5/29/2014  
WITNESS' NAME: Victoria Debra Johnson

In accordance with the Rules of Civil Procedure, I have read the entire transcript of my testimony or it has been read to me.

I have listed my changes on the attached Errata Sheet, listing page and line numbers as well as the reason(s) for the change(s).

I request that these changes be entered as part of the record of my testimony.

I have executed the Errata Sheet, as well as this Certificate, and request and authorize that both be appended to the transcript of my testimony and be incorporated therein.

\_\_\_\_\_  
Date

\_\_\_\_\_  
Victoria Debra Johnson

Sworn to and subscribed before me, a Notary Public in and for the State and County, the referenced witness did personally appear and acknowledge that:

They have read the transcript;  
They have listed all of their corrections in the appended Errata Sheet;  
They signed the foregoing Sworn Statement; and  
Their execution of this Statement is of their free act and deed.

I have affixed my name and official seal  
this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
Notary Public

\_\_\_\_\_  
Commission Expiration Date



PAGE/LINE(S)	CHANGE	/REASON
--------------	--------	---------

This image shows a blank sheet of white paper with horizontal ruling lines. The lines are evenly spaced and run across the width of the page. There are no margins, text, or other markings on the paper.

Date \_\_\_\_\_ Victoria Debra Johnson  
SUBSCRIBED AND SWORN TO BEFORE ME THIS \_\_\_\_\_  
DAY OF \_\_\_\_\_, 20\_\_\_\_.

Commission Expiration Date

<b>A</b>			
<b>abbass</b> 339:24	<b>anticipating</b> 334:19,20	302:8,23 303:12 305:16	315:24 316:14 317:4
<b>able</b> 301:24 318:24 319:7	<b>anybody</b> 298:13,20 299:1	307:18,22 309:1 310:25	<b>buildingwide</b> 316:6,7,16
319:18 320:6	299:6 310:3 312:14	310:25 311:8 312:3	316:22
<b>abovereferenced</b> 343:13	335:18	<b>authorization</b> 309:17	<b>bulea</b> 276:14 315:4 327:2
343:18	<b>anymore</b> 302:7	310:4,14	327:4 339:25 340:8,17
<b>absence</b> 311:8	<b>anyway</b> 340:15	<b>authorize</b> 346:11	340:22 341:1
<b>accept</b> 287:6	<b>aol</b> 303:16	<b>aware</b> 294:25 296:13	<b>business</b> 333:13 334:9
<b>acceptable</b> 289:6 313:17	<b>appear</b> 345:11 346:15	318:22 324:14	
313:24	<b>appearances</b> 276:1 277:3		<b>C</b>
<b>account</b> 303:17	<b>appended</b> 346:11,18	<b>B</b>	<b>calendars</b> 302:11,20
<b>accounting</b> 322:20	<b>application</b> 294:9 296:24	<b>back</b> 280:9 284:7 285:15	<b>call</b> 287:20 299:25 300:4
<b>accurate</b> 324:3 325:3	298:2 314:6 330:4,5,9	285:16 287:3,23 288:1	300:5,6,16 302:3
<b>achieve</b> 319:7	330:12,15 331:21 332:4	288:3,8 289:21 290:6	313:13,14 330:20,23
<b>acknowledge</b> 345:11	332:23,23 333:2,4,8	291:13 293:6 296:2	331:5 333:3
346:16	337:1	299:25 300:4,16 302:9	<b>called</b> 279:2 300:2,10,14
<b>act</b> 321:7,8 345:14	<b>applications</b> 315:14	302:14 307:4,8 310:12	300:16 302:3 313:15
346:20	323:19 324:1 325:13	310:15 311:14,15	329:13,25 331:2,16,18
<b>action</b> 319:18 326:5	332:13 337:13 338:21	313:25 317:13 320:22	331:24 332:10 333:6
344:4	<b>appointed</b> 286:7	329:25 334:19,21,25	<b>calling</b> 293:11,16 314:9
<b>actions</b> 318:11,13,19	<b>appointment</b> 280:15,20	<b>bankowned</b> 327:20	<b>calls</b> 296:17 297:4,8
<b>activities</b> 336:12	<b>appropriate</b> 324:19	333:24 334:10,13,15,18	298:5,22 320:12 330:24
<b>additional</b> 311:3	<b>appropriately</b> 323:17	<b>basically</b> 308:1	331:4 333:1
<b>address</b> 309:5 312:22	<b>approve</b> 290:8	<b>bedford</b> 340:7	<b>cant</b> 279:14 281:22,25
<b>adjournment</b> 343:22	<b>approved</b> 282:25 283:2	<b>behalf</b> 276:3,11 338:22	286:1,15 288:25 290:17
<b>administrative</b> 317:10,20	293:11 304:24,25	<b>behavior</b> 317:13 318:17	294:21 296:10 300:11
<b>affixed</b> 344:6 345:15	<b>approximately</b> 327:17	<b>believe</b> 282:20 283:9,21	<b>caption</b> 343:21
346:21	<b>arbitrarily</b> 286:16	286:10,11,19 296:15	<b>care</b> 340:25
<b>aforesaid</b> 343:12	<b>aside</b> 328:9	298:3 314:3 340:15	<b>carol</b> 280:5 281:2 285:24
<b>age</b> 279:2	<b>asked</b> 284:22 292:15	<b>believes</b> 313:5	286:4,6,11 287:3 288:5
<b>ago</b> 279:9 316:21	293:3 295:24 296:23	<b>belongings</b> 301:22	288:8,16 293:10,15
<b>agree</b> 287:16 323:22	299:25 300:21 302:5	<b>belongs</b> 281:1	294:2 295:1
<b>agreed</b> 306:11 337:24,25	305:13,14 306:6 308:20	<b>benefits</b> 326:11,12,16,17	<b>case</b> 275:8 290:9 341:7
342:6	313:8 315:12 320:25	<b>better</b> 288:23 290:25	345:3 346:3
<b>ahead</b> 287:4 296:19	325:1 330:3,23 339:2,9	336:17	<b>caught</b> 292:3
300:24	<b>asking</b> 300:13,15 301:6	<b>bianca</b> 299:16,16,25	<b>cause</b> 343:12
<b>aimed</b> 290:10,14,16	301:21 316:15 337:22	<b>billing</b> 289:22 291:16,20	<b>center</b> 312:22
<b>allowed</b> 302:7	<b>assignment</b> 345:2 346:2	293:12,16,19 312:22	<b>certificate</b> 277:10 309:21
<b>angelique</b> 322:23,25	347:2	<b>board</b> 284:15,16,17	309:24 343:1 346:11
<b>answer</b> 279:13 285:19,22	<b>assisting</b> 334:18	<b>bottom</b> 286:7	<b>certification</b> 345:1 346:1
286:4,5,14,23 287:18	<b>assume</b> 286:25 287:6,14	<b>break</b> 289:18,23 291:12	<b>certified</b> 279:4 311:20
288:11,14 294:12	288:25 302:8	291:17 292:16,17,18	<b>certify</b> 343:8,19 344:1
296:20,22 320:25 329:1	<b>assumptions</b> 287:10,12	293:3	<b>cgs</b> 278:13 288:19,22
338:11	<b>assured</b> 294:23	<b>breaks</b> 315:21 316:1,4	289:4 293:11 299:20
<b>answered</b> 339:2,9	<b>attached</b> 305:1 346:7	<b>bring</b> 290:6	300:3,15 301:7 328:21
<b>answers</b> 286:3 287:20,21	<b>attorney</b> 314:18 344:2	<b>broker</b> 333:20 334:8,17	329:5,9 330:20 331:2
294:19	<b>audibly</b> 279:13	<b>bronxvikki</b> 303:16	332:8,9 333:1
	<b>august</b> 278:4,5,6,7,8,9	<b>brought</b> 296:12 324:15	<b>cgss</b> 294:24 331:15
	299:12 301:1,11,20	<b>building</b> 290:6 302:5,7	<b>chain</b> 303:2

<b>change</b> 336:3,13,16,19 339:3 346:8 347:3	<b>compliance</b> 313:1,7,8	310:23 311:4,5,9,10,12	346:4,13 347:20
<b>changes</b> 333:20 345:7 346:7,9	<b>complies</b> 294:24	311:16,22 313:6,17,21	<b>deed</b> 345:14 346:20
<b>characterization</b> 289:2 289:10 291:3	<b>compromising</b> 280:3	313:22 316:17 317:17	<b>defendant</b> 275:13 276:11
<b>cheryl</b> 324:17	<b>concern</b> 281:14 323:9	317:20,23 318:20	<b>delivery</b> 342:10,12
<b>christina</b> 292:14,20,22 312:3,9 323:1,2	<b>concerned</b> 290:16 305:15 312:19 315:23 316:13 316:23	321:22 322:1,16,24	<b>department</b> 336:21 337:6
<b>christine</b> 275:22 302:3 343:6 344:14	<b>concerns</b> 294:23 324:15	323:2,6,15,19 324:9,12	<b>departmental</b> 324:18
<b>circumstances</b> 288:21	<b>concluded</b> 341:10	324:20,24 325:9,14,18	<b>departments</b> 319:1,6,19 320:6,17 321:6
<b>civil</b> 279:3 342:3 345:5 346:5	<b>conclusion</b> 296:18 298:5	325:23 326:2,5,8	<b>deponent</b> 342:7
<b>claim</b> 334:23	<b>conclusions</b> 297:5,9 298:22 320:13	329:18,22 330:6,12,16	<b>deposed</b> 279:5
<b>claims</b> 296:11	<b>condition</b> 317:24 318:3,6 340:11	331:18,22 332:1,13 333:5,5 343:17	<b>deposition</b> 275:15 279:9 279:12 299:11 301:10 302:22 303:11 307:17 308:25 310:7 321:15 322:9 329:4 340:9 341:10 342:8 343:20 345:1,3 346:1,3
<b>clear</b> 294:22 297:22 300:13	<b>conditional</b> 317:25	<b>correction</b> 318:11	<b>description</b> 278:3
<b>clearly</b> 318:15	<b>conditions</b> 317:22	<b>corrections</b> 322:19 346:17	<b>desire</b> 318:25 319:5
<b>cleveland</b> 275:20 276:7 276:16 344:7	<b>confidential</b> 326:1	<b>corrective</b> 318:13,19 319:17 326:5	<b>desk</b> 290:7 292:14,21 300:6 302:18
<b>com</b> 276:9,18,19 303:16	<b>confirm</b> 300:17 317:15	<b>correctly</b> 287:2	<b>desks</b> 315:21
<b>come</b> 288:8 302:5 307:4,8 310:12,15 311:14,15 334:25	<b>confirmed</b> 317:9 318:5	<b>correspond</b> 307:14	<b>despite</b> 311:14
<b>comes</b> 287:3	<b>confirms</b> 322:22	<b>correspondence</b> 297:12	<b>determined</b> 314:1
<b>coming</b> 302:9,14	<b>conflict</b> 284:15	<b>couldnt</b> 330:10 331:1,7	<b>didn't</b> 284:25 285:4 288:19 289:3 296:24 303:23,25 304:1 306:20 310:15 311:2 313:24 319:25 320:3,4 325:11 325:18 327:1 331:13 335:17,25
<b>commission</b> 333:12,21 344:17 345:19 346:25 347:25	<b>conflicting</b> 286:3,4,5	<b>counsel</b> 342:1,6,11 344:2	<b>difference</b> 341:4
<b>commissioned</b> 343:8	<b>confused</b> 296:9,10	<b>county</b> 275:2 343:4 345:10 346:15	<b>different</b> 283:12 287:19 287:21,24 288:2,3,7 293:20 326:2 336:5
<b>common</b> 275:1	<b>confusion</b> 296:4,6 306:20	<b>couple</b> 313:9	<b>direct</b> 314:8
<b>communicate</b> 303:24 304:2,8	<b>considered</b> 290:7 305:9	<b>court</b> 275:1 277:13 345:7	<b>directed</b> 316:20 324:24
<b>communication</b> 312:2	<b>consultation</b> 282:14	<b>cover</b> 326:11,15	<b>direction</b> 287:15,15 295:11
<b>communications</b> 313:2	<b>contact</b> 294:8 312:23 314:8 329:25 330:10 333:7	<b>create</b> 319:9	<b>directive</b> 298:14
<b>companywide</b> 315:19 316:5,13,16,19,25 317:2,7	<b>contacted</b> 308:19,20 312:20,25 332:17	<b>cri</b> 275:22	<b>directly</b> 288:15 294:12
<b>comparing</b> 291:19	<b>continue</b> 325:7 337:20 338:15	<b>currently</b> 327:7	<b>director</b> 322:24
<b>comparison</b> 291:21	<b>continued</b> 312:21	<b>custody</b> 277:12	<b>directory</b> 331:6
<b>complaint</b> 314:14,17 318:16 326:7	<b>continues</b> 340:5	<b>customer</b> 287:20	<b>discharge</b> 326:5
<b>complete</b> 314:6 315:12 324:1 325:13	<b>continuing</b> 306:4 324:4	<b>cut</b> 335:12,13,15	<b>discharged</b> 283:9
<b>completed</b> 343:22	<b>conversation</b> 295:5	<b>cuyahoga</b> 275:2 343:4	<b>discussed</b> 323:9 324:20 330:9
<b>completing</b> 323:18 338:21	<b>copies</b> 314:19	<hr/> <b>D</b> <hr/>	<b>discussion</b> 308:18
	<b>copy</b> 304:23 314:21,22,24 318:12 326:4,7	<b>date</b> 282:18 300:25 342:12 345:3,9,19 346:3,13,25 347:20,25	
	<b>correct</b> 279:23 283:5 284:1,3 285:11,12 286:8 293:12,17 294:3 294:10,13,14,19 297:25 299:18 301:22 303:4,7 305:7,19 306:2,9,14,15 306:18,19,23 307:14 308:4,10,15,18 309:18	<b>dated</b> 312:4,9	
		<b>day</b> 281:23 291:14 308:4 308:6,20 314:13 322:5 338:1,14 344:7 345:16 346:22 347:22	
		<b>daytoday</b> 336:12	
		<b>dbulea</b> 276:19	
		<b>deborah</b> 307:23 308:19	
		<b>debra</b> 275:16 277:7 279:1,6 343:9 345:4,9	

**dismissing** 298:8,11,24  
**distributed** 315:19  
**doctor** 282:17,19 288:15  
 289:7 304:12 306:21  
 308:9 330:21,24,25  
 331:3 332:7,10,12  
 333:7  
**doctors** 306:16 331:24,25  
 332:10,20 333:1 338:22  
**document** 279:16 280:11  
 293:25  
**documents** 328:20,22  
 339:19  
**doesnt** 291:5 320:20,20  
 341:4  
**doing** 287:2 327:24  
 332:12  
**don** 339:23  
**donald** 276:14  
**dont** 280:12,21,25 281:5  
 281:21 283:17,18  
 286:10,24 287:21,25  
 289:11 290:12,19,20  
 291:7,10,15,22 292:4,8  
 293:1,5 295:20 300:10  
 300:18 301:8 304:9  
 309:12 311:25 312:25  
 314:3,10,12,21,23  
 318:10 320:7 323:23  
 326:18 327:10,16,21  
 331:2 335:6,20 338:4  
 338:12 339:20 340:6,24  
 341:5  
**doubt** 285:24  
**downstairs** 302:4  
**dozed** 292:15  
**dr** 281:12 282:14,20,21  
 283:3,6,8,11,15,20,22  
 283:24,25 284:2,8,22  
 284:23,24 285:1,5,6  
 300:1 303:23 304:16  
 305:3,18 309:11 339:24  
 340:5,16,17  
**duly** 279:4 343:7,10  
**duties** 280:2 323:14  
 325:8 336:15,15,23  
 337:4,6 338:16  
**dutton** 282:21 283:3,20  
 283:25 284:2,8,23,24  
 285:1,5,6 303:23  
 304:16 305:3,18 309:11  
 340:5  
**duty** 280:15,20 303:21  
 304:15 305:10,12,17,18  
 306:1,7,9 308:8 324:23  


---

**E**  


---

**earlier** 340:3  
**earn** 335:25  
**earning** 328:4,5,8  
**east** 275:20 276:15  
**eeoc** 314:14,16 315:1  
**either** 293:5 344:2  
**email** 278:4 292:25 294:1  
 295:13 299:12,16,20  
 300:11,14 303:2,17  
 315:19,25 339:23  
**emails** 278:5,6,7,8 301:11  
 302:23 303:12 307:18  
**emergency** 340:10  
**emissions** 334:1  
**employed** 337:9,14  
**employees** 315:20 317:5  
**employment** 325:21  
**ended** 279:11 311:8  
**enrollment** 300:8 315:14  
 323:15 337:2  
**entail** 338:18  
**entered** 346:9  
**entire** 345:5 346:5  
**envelope** 302:17,19  
**environment** 280:9  
**er** 340:7  
**errata** 346:7,10,18 347:1  
**errors** 333:25  
**esq** 276:5,13,14  
**essential** 323:21 325:2  
**estate** 327:25 328:9  
 333:13  
**evaluation** 306:7 308:8  
 317:11,17 318:14  
**event** 344:3  
**everybody** 295:25 298:15  
 337:5  
**evidence** 287:11  
**exact** 327:16  
**exactly** 287:2  
**examination** 277:7 279:2  
 279:6  
**example** 294:15  
**excuse** 293:14  
**executed** 346:10  
**execution** 345:14 346:19  
**exhibit** 277:12 278:4,5,6  
 278:7,8,9,10,11,12,13  
 279:11 285:16 292:10  
 293:6,7,9 299:11,15  
 301:10,15 302:22 303:2  
 303:11,16 307:11,17,22  
 308:25 309:5 310:7,12  
 311:12 312:7,8 321:12  
 321:15,21 322:9,14  
 329:4  
**exhibits** 277:5,13 278:1  
 279:10  
**exists** 340:21  
**expect** 302:18 318:2  
**expectation** 294:11  
**expectations** 294:24  
**expected** 323:13 324:23  
 338:15  
**expecting** 336:9  
**expenses** 328:14  
**expiration** 345:19 346:25  
 347:25  
**expires** 344:17  
**explain** 290:2 333:17  
**explained** 314:3,11 325:5  
 329:25  
**explaining** 287:1 308:21  
 316:24  
**extra** 337:4,6  


---

**F**  


---

**fact** 321:10 340:18  
**facts** 287:11  
**familiar** 299:21  
**family** 306:11  
**far** 305:15 306:25 314:5  
**fax** 326:1,1  
**faxed** 314:17,18,20  
**faxes** 314:22  
**february** 317:13  
**felt** 290:13 296:25 297:7  
 297:17,21  
**file** 320:1,1,3,5 335:5  
**filed** 314:14 318:19,23  
 319:2,5  
**filing** 319:17  
**fill** 282:24 288:17 309:21  
 310:3  
**filled** 309:18 331:21  
**find** 303:7 315:7 341:5  
**fine** 295:22  
**finish** 279:8  
**fired** 338:1,7  
**first** 279:4 306:3 312:20  
 313:16 321:5 340:9  
 343:10  
**fit** 280:14,20 305:4,18,25  
 306:7,9,14,17 308:8  
**fitness** 303:21 304:15  
 305:10,12,16  
**five** 317:8 318:8 333:9  
**floor** 316:2  
**fmla** 280:4 282:23 283:4  
 303:4 304:23 305:5,10  
 306:13 308:10 309:13  
 310:13  
**folder** 320:20  
**follow** 298:15  
**following** 303:3 318:3  
**follows** 279:5  
**foregoing** 343:16,21  
 345:13 346:18  
**forgot** 332:19  
**form** 305:17 309:17  
 310:4 336:14  
**formal** 318:11 323:5  
**formally** 318:19,23  
**forms** 288:17 319:18  
**forth** 324:15  
**four** 287:24 327:9,15,19  
**free** 345:14 346:20  
**front** 279:10,17 301:17  
 302:17  
**fulfilled** 305:16  
**function** 323:22 325:2  
**functions** 325:22  
**further** 289:6 309:12  
 311:2 339:18 343:19  
 344:1

<b>fyi</b> 294:21,22	<b>hasnt</b> 300:21	321:18 322:11 329:6	<b>ive</b> 287:3 301:14 303:1,15
<hr/>	<b>havent</b> 304:13 327:6	<b>ii</b> 275:16	309:4 310:11 320:25
<b>G</b>	328:23,25	<b>ill</b> 287:8,9 301:14 303:1	322:13 330:22,24
<b>general</b> 293:11,16,17,19	<b>headen</b> 340:16,17	303:15 312:6 337:23	<hr/>
293:20 295:2 328:10	<b>hear</b> 313:24	<b>im</b> 282:11 287:19,24	<b>J</b>
<b>getting</b> 286:3,4 287:19	<b>heights</b> 309:6	289:8,12 292:18 297:13	<b>job</b> 323:13,22 324:23
<b>giffen</b> 275:19 276:12	<b>hello</b> 294:5	300:13,15 304:6,19,23	325:3,7,22 338:25
<b>give</b> 325:6,17 331:5,8	<b>help</b> 279:19,25 312:14	305:19 310:25 312:7	339:6
333:7 342:1,11	318:24 319:6,18 320:5	316:11,24 330:22	<b>johnson</b> 275:4,16 277:7
<b>given</b> 332:1 335:22	320:10,17 321:6 341:6	333:19 334:17 335:5	279:1,6,8 291:8 299:4
343:13,18	<b>helpful</b> 331:22	337:22,23 339:3	300:7 343:10 345:3,4,9
<b>gives</b> 298:14	<b>helping</b> 314:6	<b>immediately</b> 318:1 337:3	346:3,4,13 347:20
<b>giving</b> 286:17,20,25	<b>hereinafter</b> 279:4	<b>improper</b> 314:2	<b>july</b> 308:5 336:1
<b>go</b> 280:8 284:7 285:4,15	<b>hereunto</b> 344:5	<b>included</b> 323:17	<b>june</b> 329:21,22
287:4,25 289:14 290:6	<b>herron</b> 276:4,5 286:13,22	<b>includes</b> 325:24	<hr/>
292:9 293:6 296:19	287:9,17 289:1,9	<b>income</b> 326:22	<b>K</b>
300:24 305:14 306:6	290:12 291:2 293:13,18	<b>incorporated</b> 346:12	<b>kaminski</b> 275:19 276:12
309:20 322:18 338:5,23	296:17,20 297:4,8,19	<b>incur</b> 335:11	276:13 277:8 279:7
<b>goal</b> 319:7	298:4,21 299:3,7	<b>index</b> 277:1,5 278:1	287:13 293:22 297:10
<b>goes</b> 324:6 333:15	300:21 304:20 311:23	<b>indicate</b> 290:15 329:24	304:21 315:2,7 320:22
<b>going</b> 295:24 313:20	315:5 319:13,22 320:12	<b>indicated</b> 282:18 318:25	326:25 327:3,5 333:10
315:11 316:19 324:23	321:2 326:23 328:7	324:11	339:17 341:8 342:13
325:12 326:1,14 334:19	329:10 332:2,5,14	<b>indicating</b> 281:14 303:2	<b>kathy</b> 282:7,9 283:21,24
334:20 338:25 339:3	333:9 336:14,17 337:17	305:3	285:9 303:19 304:3,4,5
341:5,6	338:2,10 339:2,9,21	<b>informal</b> 318:12	304:10,19 305:2 307:1
<b>good</b> 287:13 294:5	340:1,13,20,23 341:3	<b>information</b> 282:15	<b>keep</b> 301:16,17
319:10 327:19,22 341:8	<b>herronlaw</b> 276:9	283:10 309:12 326:1,11	<b>keeps</b> 329:9
<b>gotten</b> 330:24	<b>hes</b> 298:15,24 306:10	326:15,24 330:3,12	<b>kerin</b> 276:13
<b>graduated</b> 333:14	<b>hiring</b> 336:22	331:17 332:8,24 333:2	<b>kim</b> 294:6,6,16 295:5,5
<b>green</b> 275:22 343:6	<b>hold</b> 320:19 338:25 339:6	335:21	<b>kind</b> 280:23 288:22 313:2
344:14	<b>home</b> 303:17	<b>informed</b> 323:12,25	321:24 329:8
<b>gross</b> 334:6	<b>hospital</b> 288:13,18 289:5	<b>informing</b> 315:19	<b>kkaminski</b> 276:18
<b>group</b> 289:22 291:16	293:17,20,22 294:16	<b>insistence</b> 312:21	<b>knew</b> 284:21,23 285:13
332:19	295:2,6,12 296:1,3	<b>insisting</b> 280:3	286:6 303:6 307:12,13
<b>guess</b> 281:22 283:18	<b>hospitals</b> 275:10 294:17	<b>instances</b> 297:21	308:17 311:11 323:4
290:2 298:15 300:19	294:18 345:3 346:3	<b>instructed</b> 324:2,2,8	<b>know</b> 280:23 282:2,5
309:9 313:11 322:21	<b>hours</b> 308:3 325:6,12,17	325:14	284:13 286:14,23,24
334:17 336:21	325:18 339:1,7,11	<b>instruction</b> 342:2,11	287:18,21,25 290:19,20
<b>guy</b> 340:1	<b>house</b> 333:22	<b>integrity</b> 280:1	291:7,22 292:4 304:21
<b>guys</b> 340:24	<b>houses</b> 327:7,10,14	<b>intended</b> 316:22 317:1	309:11 311:23 314:16
<hr/>	<b>hr</b> 317:12 318:16	<b>intending</b> 337:9	314:20,23 320:8 327:10
<b>H</b>	<b>human</b> 322:24	<b>interested</b> 344:3	331:16 332:15 335:5,20
<b>hand</b> 324:6,6 338:5,5	<hr/>	<b>investigate</b> 313:20	337:2 338:4,7,11,12
344:6	<b>I</b>	<b>investigated</b> 313:12	340:6,17 341:6
<b>handwriting</b> 279:17	<b>idea</b> 291:23	324:16	<b>knows</b> 292:18
285:17,21	<b>identification</b> 299:13	<b>investigation</b> 313:25	<hr/>
<b>happen</b> 301:7	301:12 302:24 303:13	<b>isnt</b> 283:1	<b>L</b>
<b>happened</b> 300:3 322:21	307:19 309:2 310:9	<b>items</b> 302:10,16	<b>ladaika</b> 280:5



<b>large</b> 294:16	<b>looks</b> 279:21 307:10	<b>mentions</b> 293:10	<b>night</b> 339:22
<b>law</b> 276:4	<b>lunch</b> 289:19 290:5,6,8,9	<b>merit</b> 297:17 319:3	<b>non</b> 280:2
<b>lawful</b> 279:1	290:24 291:13,14	320:19	<b>nonbankowned</b> 334:2
<b>lawsuit</b> 296:12	<b>lying</b> 319:12,19,21,23,24	<b>message</b> 299:24,25 300:4	<b>nonhostile</b> 280:1
<b>lawyer</b> 328:19 329:12	319:25 325:24 338:19	300:16	<b>noon</b> 281:4
<b>learn</b> 304:1	<b>lyn</b> 276:13	<b>midaugust</b> 340:9	<b>notary</b> 275:22 343:6
<b>leave</b> 280:7,8 283:4 290:5	<b>lynnfield</b> 309:6	<b>middle</b> 294:1 311:18	344:14 345:10,18
300:4 302:17 306:13		329:12	346:15,23 347:23
309:13 311:3,7 317:10	<hr/> <b>M</b> <hr/>	<b>midwest</b> 347:1	<b>note</b> 281:20 290:1,4,15
317:20	<b>main</b> 288:13,18,24 289:5	<b>mind</b> 292:2 296:5 306:21	290:18,21 291:24 292:7
<b>led</b> 292:24	294:17 295:6,11,18	<b>minus</b> 333:25	<b>notes</b> 278:13 279:20
<b>left</b> 299:23,24 300:16	296:1,3	<b>minute</b> 287:7	280:10 329:5,8 340:18
308:8 336:21	<b>making</b> 328:10	<b>minutes</b> 289:20,24 290:1	<b>notification</b> 323:5
<b>lefthand</b> 279:20	<b>mandatory</b> 317:11	291:13,18	<b>noting</b> 293:2
<b>legal</b> 296:18 297:5,9	336:23	<b>mischaracterization</b>	<b>number</b> 278:3 280:4,22
298:5,22 320:13 347:1	<b>manual</b> 316:11,12 317:6	319:14	281:1,3 287:5 288:10
<b>letter</b> 278:9,10,11,12	<b>march</b> 335:3,10,10,23,24	<b>miscommunication</b>	288:13,18,24 289:5
280:13 309:1,8,15	336:2,6,10,13	316:8,17	293:12,16,17,19,20,22
310:8 311:7,12 312:4,9	<b>mark</b> 276:5 299:15	<b>missing</b> 332:24 333:2	293:23,24 294:8,18
312:12,15 314:25	<b>marked</b> 278:3 299:12	<b>moments</b> 316:21	295:3,7,12,18 296:1,3
321:16,21,24 322:1,4	301:11,14 302:23 303:1	<b>money</b> 328:11,16	300:2,17 312:23 313:5
322:10,14,22 323:5,10	303:12,15 307:18,21	<b>month</b> 306:5,8	313:16 314:5,5,7,8
<b>letters</b> 297:12 311:21,25	309:1,4 310:8,11 312:6	<b>months</b> 327:15,19	315:9 318:8 324:4,9
<b>level</b> 328:4,5	312:8 321:17 322:10,13	<b>morning</b> 307:23	327:16 329:14,18 331:5
<b>liar</b> 286:11,16	329:5	<b>morrison</b> 292:23 312:3,9	331:8 332:1 337:13,24
<b>liars</b> 319:11	<b>matter</b> 320:21 324:16	323:2	337:25 338:8,19 339:13
<b>license</b> 330:1,2 331:17	<b>mcdonalds</b> 289:18,20	<b>move</b> 318:25 319:5,19	<b>numbers</b> 294:8 346:7
332:21	291:6,13 292:5	320:6,17 321:6	
<b>licensed</b> 330:6	<b>mean</b> 282:15 298:23	<b>msn</b> 276:9	<hr/> <b>O</b> <hr/>
<b>lie</b> 296:23 297:2 298:2	300:9 316:11 333:17		<b>object</b> 287:17
324:6 337:15,20	<b>meaning</b> 315:15	<hr/> <b>N</b> <hr/>	<b>objection</b> 286:13,22
<b>line</b> 287:20 346:7 347:3	<b>means</b> 288:7 291:24	<b>name</b> 312:24 313:9	287:9 289:1,9 290:12
<b>listed</b> 322:1 327:8,11,12	<b>meant</b> 315:22 316:7	332:19 345:3,4,15	291:2 293:13,18 296:17
346:7,17	<b>medicaid</b> 315:12,13,16	346:3,4,21	297:4,8,19 298:4,21
<b>listen</b> 320:24	323:18	<b>named</b> 343:9	299:3,7 311:24 319:13
<b>listing</b> 346:7	<b>medical</b> 339:20	<b>names</b> 313:11,20	319:22 320:12 321:2
<b>listings</b> 334:12,14,16	<b>medicare</b> 312:20,23	<b>need</b> 280:7,8 309:16	326:23 328:7 329:10
<b>llc</b> 275:19 276:12	313:15,23 315:12,15,17	325:12	332:2,5,14 336:14
<b>lobbies</b> 316:3	323:18 337:1,2	<b>needed</b> 285:4,7 306:13	337:17 338:2,10
<b>location</b> 285:20,23 333:6	<b>medication</b> 281:17,18	307:12,12 308:10	<b>obtaining</b> 332:20
<b>longer</b> 289:24,25 291:18	284:19 292:19	310:14 331:16	<b>obviously</b> 296:21,22
315:20	<b>meet</b> 322:25	<b>net</b> 327:21	<b>occasion</b> 300:2,15 330:18
<b>look</b> 292:2 293:6 294:1	<b>meeting</b> 295:25 308:11	<b>never</b> 282:25 283:22	<b>october</b> 278:10,11,12
304:11 305:1 307:11	308:13 322:15,23	288:16 292:3,4 297:23	310:8,17 311:6,16
319:9 321:12	335:23,24 336:2,6	302:2 307:4 313:12,14	312:4,10,18 314:13
<b>looked</b> 293:10 321:21	<b>meisler</b> 285:25 293:16	318:19 330:22 331:2	321:16,20 322:1,10,15
328:21	294:2 295:1	335:15	323:4,10 325:21 334:22
<b>looking</b> 308:14 328:2	<b>memo</b> 317:5	<b>news</b> 294:6	336:1 337:8 344:17

**offensive** 317:12 318:17  
**office** 308:3 331:25,25  
 332:10,18 333:1 344:6  
**officer** 313:1,7,8  
**offices** 276:4  
**official** 345:15 346:21  
**oh** 285:2 327:3,18  
**ohio** 275:2,20 276:7,16  
 279:3 309:6 330:1,2,6  
 331:17 343:2,7 344:7  
 344:15  
**okay** 279:14 284:21  
 285:24 288:20,22  
 289:14 292:6,18 293:4  
 295:6,10 296:9 299:9  
 301:5,19 303:9 304:6  
 306:3 307:10 308:23  
 315:7 317:8 318:1  
 320:25 321:9 322:3,7  
 326:19 337:5 340:22  
 341:8  
**once** 330:5 338:7  
**ones** 332:11  
**oops** 312:7  
**operating** 287:10  
**operator** 288:14 294:18  
 295:2  
**opportunity** 328:23,25  
**order** 303:7 319:18 324:5  
**original** 342:13  
**originals** 301:17  
**overall** 298:23  
**overlooked** 330:3,11

---

**P**

---

**packet** 283:10  
**page** 281:6 285:16  
 289:14 329:12 346:7  
 347:3  
**paid** 308:2,15  
**pallas** 281:12 282:14,20  
 283:6,8,11,15,22,24  
 284:22  
**paperwork** 282:23 283:3  
 304:24 305:6 307:6  
 311:3  
**pardon** 308:12 328:24  
**parham** 299:21

**part** 281:15 283:10  
 307:15 316:9,15 334:23  
 346:9  
**particular** 300:14  
**parties** 342:7  
**party** 344:3  
**patients** 330:25 331:4,5  
 331:13  
**patricia** 299:21,24  
 300:13  
**paul** 297:16 317:9,16  
 318:16  
**pay** 335:12,13,15,16,17  
 335:18  
**pending** 330:2  
**people** 291:1 316:2 333:3  
**percent** 333:19,20,25  
 334:3,4  
**perform** 323:13 325:2,7  
 325:22 336:23 338:16  
**performance** 318:14  
**period** 309:22 335:8  
**permission** 333:7  
**permitted** 315:20  
**person** 298:18,24 302:4  
 313:16,19 314:6,24  
 319:10 330:14 331:18  
 336:20  
**personal** 301:21 335:20  
**personally** 345:11 346:15  
**phone** 280:4 281:3  
 282:10 288:11 300:7  
 312:22 324:4,8 330:23  
 330:24 337:13,24,25  
 338:8 339:13  
**phrase** 328:8  
**physician** 275:11 294:12  
 306:12 309:20,21,25  
**pick** 289:18 291:12  
 301:21,24 302:5  
**picking** 302:10  
**pile** 301:17  
**pins** 336:25  
**place** 302:16,18 317:10  
 326:2 336:3 343:20  
**plaintiff** 275:6 276:3  
**pleas** 275:1  
**please** 290:4,8 296:22

302:16 310:21  
**plus** 308:3  
**point** 287:24 321:25,25  
 327:25 333:15  
**policy** 326:8  
**position** 280:4 334:24  
 339:3  
**pr** 279:21  
**practices** 324:19  
**prescribe** 284:19  
**presence** 343:15  
**presented** 318:13  
**pretty** 327:22  
**previously** 312:8 324:15  
**price** 334:4,6  
**prior** 311:11  
**probably** 284:15 299:4  
 327:9  
**problem** 294:7 314:1  
 330:10,11  
**procedure** 279:3 345:5  
 346:5  
**procedures** 279:21,22  
**process** 315:25  
**produced** 315:3,6 328:20  
 329:11  
**prohibited** 315:14  
**promotion** 336:9  
**proper** 287:15  
**properties** 327:21 333:24  
 334:2,10,13,18  
**provide** 309:12 332:7  
**provided** 279:2 328:19  
**provider** 285:20,23 287:5  
 300:8 315:13 323:14,19  
 324:1 325:13 329:17  
 330:5,19  
**providers** 313:9 314:7  
 330:2 332:18  
**provides** 294:17  
**psychiatric** 317:11,17  
**psychiatrist** 281:12  
 282:6 283:13,19 285:4  
 285:8,10 305:13,14  
 306:8  
**psychiatry** 284:18  
**public** 275:22 276:6  
 343:7 344:14 345:10,18

346:15,23 347:23  
**purposes** 299:13 301:12  
 302:24 303:13 307:19  
 309:2 310:9 321:17  
 322:11 329:5 331:15  
**pursuant** 342:3  
**put** 279:10 283:3 288:10  
 288:13,18 314:4 317:19  
 324:4,8 333:8 335:5  
 337:3,13,23,25 338:8  
 339:12,14  
**putting** 288:24 320:19  
 338:18

---

**Q**

---

**qualified** 343:8  
**question** 283:1 293:14  
 296:21 300:12,22  
 320:23,24  
**questions** 313:6  
**quote** 312:25

---

**R**

---

**raise** 335:16,17,18  
**raised** 323:9  
**reached** 287:5 288:15  
 300:1 311:19 329:17  
 331:1  
**read** 279:19 283:6,8  
 294:21 295:8,15,20,21  
 320:22 321:1 342:7  
 345:5,6,12 346:5,6,17  
**real** 327:25 328:9 333:13  
**really** 287:25  
**reason** 286:11,19 320:4  
 338:7 346:8 347:3  
**reasons** 318:23  
**recall** 280:12,21 281:5  
 283:17,18 291:10  
 300:11,18 301:8 304:9  
 311:25 314:21 315:4  
 326:18 331:2  
**receipt** 280:2  
**receive** 318:12 322:4  
 326:10,15,16  
**received** 283:10 304:13  
 309:8 314:25  
**receptionist** 302:4

<b>recess</b> 333:11	<b>responded</b> 295:23 302:2	346:5	<b>service</b> 287:20
<b>recommended</b> 283:12,25	<b>response</b> 311:20 319:15		<b>services</b> 275:11 289:22
<b>reconsider</b> 325:6	321:20 324:17	<hr/> <b>S</b> <hr/>	291:17,20
<b>record</b> 297:24 321:1	<b>responsibilities</b> 323:14	<b>saw</b> 283:16 289:17 291:5	<b>set</b> 344:6
346:9	<b>responsible</b> 298:8,10,16	306:8 340:13	<b>sexual</b> 317:12 318:17
<b>records</b> 339:20 340:2,3	298:24 299:5 332:12,20	<b>saying</b> 285:7 290:24	<b>shaker</b> 309:6
<b>reduced</b> 281:18 343:14	<b>rest</b> 315:21	299:23 304:11 306:10	<b>shamekia</b> 286:5
<b>reference</b> 293:15 295:1	<b>result</b> 285:7 322:23	306:21 308:1 316:11	<b>shamekias</b> 285:25
<b>referenced</b> 345:11	<b>results</b> 282:13	337:23	<b>sheet</b> 346:7,10,18 347:1
346:15	<b>retained</b> 277:13	<b>says</b> 280:7 281:11 285:19	<b>sheryl</b> 291:8 299:4
<b>references</b> 340:13	<b>retaliated</b> 296:16 297:7	285:22 290:3 292:14	301:21
<b>referring</b> 293:19	297:17,21 298:3,18	293:24 294:1,2,5,15	<b>shes</b> 286:16 288:11
<b>refresh</b> 292:2	299:2	295:4,5 299:24 300:7	295:14 299:4 304:20
<b>refusal</b> 298:2 325:21	<b>retaliation</b> 296:12 297:11	302:16 304:7 307:6	<b>shoes</b> 302:12,18,20
<b>refuse</b> 324:3 325:7	297:13 298:1	309:19 311:18 314:18	<b>show</b> 299:15 301:14
<b>refused</b> 284:11 297:2	<b>retaliatory</b> 297:1 318:11	324:14 326:14 329:13	303:1,15 307:21 309:4
<b>refusing</b> 325:2	318:15 319:20 320:11	<b>scenario</b> 286:18,21 287:1	310:11 312:6,7 322:13
<b>regard</b> 337:1	320:14,16 321:4,7,8,11	<b>scenarios</b> 287:24 288:2,4	<b>shows</b> 305:18
<b>regarding</b> 294:23 318:16	<b>return</b> 282:18,22 285:11	288:7	<b>side</b> 279:20 280:6
326:11,16 342:2,12	289:17 291:6 303:20	<b>scribbling</b> 280:3	<b>sideways</b> 280:23
<b>reinstatement</b> 334:23	304:12,15 305:5,22	<b>seal</b> 344:6 345:15 346:21	<b>sign</b> 342:7
<b>relates</b> 303:20	306:22 309:17 310:4,14	<b>sealed</b> 302:17	<b>signature</b> 342:5
<b>relating</b> 324:15	310:22 312:17 315:11	<b>second</b> 316:2	<b>signed</b> 298:25 340:24
<b>relative</b> 344:2	317:23 318:4,7 323:6	<b>see</b> 280:22 281:2,11,13	345:13 346:18
<b>releases</b> 340:23	326:20	282:6 283:12,19,25	<b>simmons</b> 317:9,16
<b>remember</b> 280:25 281:19	<b>returned</b> 292:5 311:21	284:11,22 285:4,6,8,16	318:16
281:21 286:2 291:15	312:1 313:12,14 322:5	293:25 305:14 307:24	<b>sinus</b> 340:12
292:8 293:1,5 327:16	<b>returning</b> 306:25 318:2	309:20 315:18 320:24	<b>sinuses</b> 340:14
335:3	<b>review</b> 335:3,11 342:2	329:12	<b>sit</b> 336:3
<b>remind</b> 279:12	345:1 346:1	<b>seen</b> 283:23 306:3,12	<b>situation</b> 314:11
<b>removed</b> 289:7	<b>reviewed</b> 323:8 324:16	327:6	<b>six</b> 318:10 321:25
<b>replace</b> 336:22	<b>riddle</b> 298:12,17	<b>selling</b> 327:22 334:4,6	<b>sleeping</b> 316:3
<b>report</b> 283:7,8,14	<b>right</b> 283:4 285:8,9 288:6	<b>send</b> 284:25 307:6 332:8	<b>sold</b> 327:14
<b>reported</b> 317:12	288:24 291:1 294:9	341:1	<b>solutions</b> 347:1
<b>reporter</b> 277:13 345:7	295:16 297:15 299:1	<b>sending</b> 303:19 304:14	<b>somebody</b> 280:19
<b>reporters</b> 277:10 343:1	300:19 301:2 303:16,21	304:16,18,23 305:2	<b>sorry</b> 304:19 305:19
<b>reporting</b> 297:16 340:18	304:17 305:5,11,23	<b>sent</b> 280:14 284:23	310:25 312:7 333:19
<b>reports</b> 283:23 317:9	306:4 307:5 308:6,14	300:10,14 305:17 307:1	<b>speak</b> 331:3
<b>request</b> 303:3 346:9,11	309:5,14 310:18 312:12	309:18 311:7 314:25	<b>specialist</b> 323:15 330:19
<b>requested</b> 339:13 342:1	315:16 323:10 328:13	315:1 323:5 324:17	<b>specific</b> 326:12
342:11	330:14 331:5,6,8,18	326:4 332:11	<b>specifically</b> 285:5
<b>requesting</b> 290:4	332:25 338:6,9,14,17	<b>separate</b> 301:18 326:10	<b>specified</b> 343:21
<b>requests</b> 340:6	339:1,20	326:15	<b>speculative</b> 332:6,15
<b>rescheduling</b> 280:14	<b>road</b> 309:6	<b>september</b> 282:18,23	337:18 338:3
<b>resolution</b> 326:8	<b>rogers</b> 307:24	284:5 285:11 304:12	<b>split</b> 333:25 334:7
<b>resources</b> 322:24	<b>role</b> 299:17 330:19	309:13,25,25 310:20,23	<b>spoke</b> 294:6 313:4 329:16
<b>respect</b> 312:20	<b>rules</b> 279:3 315:15,16,16	310:24	<b>springer</b> 303:20 307:2
<b>respond</b> 340:6	315:17 342:3 345:5	<b>served</b> 299:17	<b>square</b> 276:6



ss 343:3	343:20	314:10,12,23 317:1	327:12,13 334:14 335:4
<b>start</b> 279:20 322:22	<b>talk</b> 313:7 330:15,20,23	319:16 327:12,13	335:11
<b>started</b> 279:9	330:25	334:22 338:24 339:1,11	<b>type</b> 311:3 336:8
<b>starting</b> 322:21	<b>talked</b> 282:9 285:25	339:21 340:4,14,20	
<b>starts</b> 333:15	287:3 313:19	<b>thinkgk</b> 276:18,19	<hr/> <b>U</b> <hr/>
<b>state</b> 315:13 343:2,7	<b>talking</b> 280:19 290:23	<b>thought</b> 302:13	<b>uh</b> 284:16,18,22 294:7,24
344:15 345:10 346:15	313:10 314:10 332:22	<b>three</b> 287:23 308:3	296:25 298:6,7 303:6
<b>stated</b> 325:17 330:2	335:6	313:10 315:10 334:3,4	306:6 307:7,12,12
<b>statement</b> 324:18 345:13	<b>tax</b> 326:19	334:14	308:17 315:22,23 317:4
345:14 346:19,19	<b>telephone</b> 293:23,24	<b>time</b> 283:16 284:10 286:2	325:5 328:6,17 330:19
<b>stating</b> 288:12	294:8,12,18,19 300:17	288:12 295:21 297:6	334:19,21 335:1 337:9
<b>stenotypy</b> 343:14	<b>tell</b> 283:11,15 287:4	300:9,10 306:1 308:2	<b>uhmhum</b> 280:16 331:12
<b>step</b> 289:6	288:6 295:25 296:2	308:15 309:22 310:15	<b>uhmhums</b> 279:14
<b>steps</b> 297:1	307:3,8 311:15 325:25	327:25 330:8 335:8,19	<b>uhs</b> 293:23,24 294:7
<b>steve</b> 298:12,17	331:1	335:25 343:20	<b>uhuhs</b> 279:14
<b>street</b> 275:20 276:15	<b>telling</b> 288:23 295:14,17	<b>times</b> 297:23 311:19	<b>unclaimed</b> 311:21
<b>stressfree</b> 280:9	304:5 309:10 311:7	<b>told</b> 281:11 282:5 283:21	<b>understand</b> 289:3,11
<b>structure</b> 333:12	<b>tells</b> 287:3 309:16	283:24 287:22 288:9,16	296:21 301:4 332:9
<b>stuff</b> 339:23	<b>ten</b> 327:18,22	302:6 304:3,4,6,8,11	339:5
<b>subject</b> 317:11	<b>terminated</b> 325:8,20	310:12 313:16,23	<b>understanding</b> 289:8,12
<b>subjected</b> 318:10	<b>testified</b> 290:13 340:8	316:21 318:18 319:4,8	<b>unethical</b> 280:1
<b>submit</b> 309:24 311:2	<b>testify</b> 343:10	319:16 320:2 324:22	<b>university</b> 275:10 345:3
330:5	<b>testimony</b> 343:13,17	325:8,11,16 337:2,23	346:3
<b>subscribed</b> 345:10	345:6,7 346:6,9,12	338:13,23 339:15	<b>unlawful</b> 279:23
346:14 347:21	<b>thank</b> 301:20 304:21	<b>top</b> 322:22	<b>unpaid</b> 317:10,19
<b>suite</b> 275:20 276:6,15	341:9	<b>track</b> 328:16	<b>use</b> 293:23 294:7 295:6
<b>supervisor</b> 285:25 286:17	<b>thats</b> 280:23 282:7	<b>transcribed</b> 343:16 345:7	295:11,18 296:1,2
286:20 287:1,4,22	283:20 287:10 288:16	<b>transcript</b> 277:1 342:3,8	312:22
288:9 313:1,4 314:4,10	291:4 293:9 295:8,13	342:10,12 345:5,12	<b>uses</b> 297:11
336:5	295:15,21,22 296:25	346:5,11,17	<b>usually</b> 334:3
<b>supervisors</b> 312:21	299:5,8 303:17 306:10	<b>transcription</b> 343:17	
<b>supposed</b> 281:2 288:11	309:5,15,19 316:20,22	<b>transfer</b> 331:7	<hr/> <b>V</b> <hr/>
307:2,3 314:4,7 316:1	318:3 319:8 320:7	<b>treat</b> 284:16	<b>vacation</b> 335:22,25
332:7 336:8	321:8,9 324:7 330:9	<b>true</b> 291:4 318:8 320:8,9	<b>varies</b> 333:14,23
<b>sure</b> 282:12 295:21	333:5 334:23 335:20	343:16	<b>verified</b> 329:17
300:12 304:7 322:19	336:17 337:4,22 338:13	<b>truth</b> 320:2 343:11,11,12	<b>verify</b> 300:1 324:5
333:10	339:15 341:6	<b>try</b> 286:7 287:8 321:6	338:19
<b>surgery</b> 340:2	<b>theres</b> 280:22 285:17	<b>trying</b> 289:13 290:2	<b>veritext</b> 347:1
<b>surgical</b> 340:3	322:19 332:18	318:24 319:6 320:5,10	<b>versus</b> 314:7
<b>sworn</b> 279:4 343:10	<b>theyre</b> 315:20 319:11	320:17 330:22	<b>victoria</b> 275:4,16 277:7
345:10,13 346:14,18	332:19 333:24	<b>tuesday</b> 292:15	279:1,6 294:5 300:7
347:21	<b>thing</b> 321:5 336:24	<b>turn</b> 281:6	329:16 340:18 343:9
<b>system</b> 294:17 337:3	339:10	<b>turned</b> 291:14	345:3,4,9 346:3,4,13
	<b>things</b> 293:21 312:19	<b>twelve</b> 289:20 291:13	347:20
<hr/> <b>T</b> <hr/>	321:25	<b>twice</b> 297:16	<b>vikki</b> 304:16,18,20
<b>take</b> 280:7,8,10 321:24	<b>think</b> 282:7 290:10,13	<b>two</b> 287:19,21 288:1,3,7	<b>violation</b> 315:15
333:9	295:10 298:10 299:2	293:20 297:20,22	<b>vj208</b> 281:9
<b>taken</b> 275:19 333:11	300:10 307:5 312:24	306:16 313:10 327:9,9	<b>vj215</b> 285:16

<b>vj227</b> 289:15	307:8 309:17 310:4,13	<b>youve</b> 296:11 304:11	<b>2168446088</b> 280:4
<b>vj240</b> 292:9	310:14,15,22 311:15,16		<b>24</b> 325:6,12,17,18 339:1,6
<b>vol</b> 275:16	312:18 315:11 317:23	<hr/> <b>Z</b> <hr/>	339:11
<b>volumewise</b> 327:23	318:2,7 322:6 323:6	<b>zarife</b> 275:22 343:6	<b>240</b> 292:12,13,25
<b>vs</b> 275:8	327:25 328:2 335:1	344:14	<b>246</b> 292:11
	337:9	<b>zhang</b> 300:1	<b>25</b> 317:4
<hr/> <b>W</b> <hr/>	<b>worked</b> 290:5 308:4,20		<b>276</b> 277:3
<b>wahl</b> 324:17	328:6 330:19	<hr/> <b>0</b> <hr/>	<b>278</b> 277:5
<b>wait</b> 310:21	<b>working</b> 290:7 301:3	<b>00</b> 275:18 280:5	<b>279</b> 277:8
<b>walks</b> 289:23 291:17	309:11 315:24 328:17	<b>000</b> 317:5	<b>29</b> 275:17 344:17 345:3
<b>wanna</b> 340:24	<b>works</b> 294:16		346:3
<b>want</b> 279:25 280:8	<b>wouldnt</b> 286:1,15 320:10	<hr/> <b>1</b> <hr/>	<b>299</b> 278:4
282:13 300:8,24 301:16	320:16 324:11 331:14	<b>1</b> 275:8 278:10 310:8	
303:24 304:2 308:2	<b>write</b> 280:11 290:1,18	311:6 312:4 323:4	<hr/> <b>3</b> <hr/>
318:10 322:18 325:18	292:6,24 303:6 308:17	333:24	<b>3</b> 278:6 302:23
334:25	312:14	<b>10</b> 275:18 308:22	<b>30</b> 278:4,9 299:12 301:1
<b>wanted</b> 279:12 308:7	<b>writes</b> 297:12	<b>11</b> 341:10	308:22 309:1 317:5
315:18 317:15,19 321:9	<b>writeup</b> 335:10	<b>12</b> 280:5	<b>301</b> 278:5
339:11	<b>writeups</b> 319:24 320:1	<b>1300</b> 275:20 276:15	<b>302</b> 278:6
<b>wasnt</b> 286:20 300:6	335:4,11	<b>13cv2012</b> 275:8	<b>303</b> 278:7
301:3 302:6 315:23	<b>writing</b> 281:7 289:15	<b>15</b> 289:24,25 291:18	<b>307</b> 278:8
317:24 318:8	292:10 299:5 304:10	<b>1600</b> 275:20 276:15	<b>309</b> 278:9
<b>way</b> 297:13 336:13 341:7	307:23 315:9 321:4	<b>1871104</b> 345:2 346:2	<b>310</b> 278:10
<b>website</b> 330:1	<b>written</b> 290:3 297:15,23	347:2	<b>321</b> 278:11
<b>week</b> 327:4,5	322:14		<b>322</b> 278:12
<b>weeks</b> 279:9	<b>wrote</b> 280:13 281:3,20,21	<hr/> <b>2</b> <hr/>	<b>329</b> 278:13
<b>went</b> 283:20 284:2,10	281:23,25 282:2 289:4	<b>2</b> 278:5 301:11,20 302:8	<b>343</b> 277:10
285:6 289:18 291:12	290:20,23 291:23 292:4	<b>20</b> 305:16 345:16 346:22	<b>35</b> 293:7,7 333:20
292:5 297:24 308:7,9	301:20 312:12 320:14	347:22	<b>3646</b> 309:5
337:8 339:22 340:10	321:10	<b>201</b> 280:25	<b>37</b> 341:10
<b>weve</b> 307:21 312:6		<b>2011</b> 318:14	
<b>whats</b> 281:15 305:1	<hr/> <b>X</b> <hr/>	<b>2012</b> 278:4,5,6,7,8,9,10	<hr/> <b>4</b> <hr/>
309:15		278:11,12 299:12 301:1	<b>4</b> 282:18,23 284:5 285:11
<b>whereof</b> 344:5	<hr/> <b>Y</b> <hr/>	301:11 302:23 303:12	304:12 314:13
<b>white</b> 312:24	<b>yeah</b> 281:25 282:11	307:18,22 309:1 310:1	<b>44113</b> 276:7
<b>whos</b> 291:6	292:12,22 296:8 297:20	310:8,23 311:8 312:3,4	<b>44114</b> 276:16
<b>willing</b> 338:24	298:15 304:21 305:21	312:10 317:13 321:16	<b>46</b> 279:11,16 285:16
<b>wish</b> 304:7	306:4 317:6 327:4,23	322:10 326:25 329:22	292:10
<b>withdrawn</b> 330:4	331:14 332:22 337:22	<b>2013</b> 326:19 327:2	<b>47</b> 312:8 321:21
<b>witness</b> 340:12 343:9,14	339:25 341:1	<b>2014</b> 275:17 344:8 345:3	<b>48</b> 278:4 299:11,16
343:15,18 344:5 345:1	<b>year</b> 326:22 328:12,15	346:3	<b>49</b> 278:5 301:10,15
345:4,11 346:1,4,15	<b>youre</b> 289:13 296:9,9,10	<b>2014095</b> 280:23	307:11
<b>witnesss</b> 342:2	303:19 304:13,16 305:3	<b>2017</b> 344:17	<b>4th</b> 283:4
<b>word</b> 297:11	305:15,18 307:23	<b>21</b> 307:22 310:20,23,25	
<b>work</b> 282:18,22 284:4	308:14 309:11 315:10	311:8 312:3 329:21,22	<hr/> <b>5</b> <hr/>
285:11 302:9,14 303:20	315:11 319:10 325:25	<b>2162802828</b> 276:8	<b>5</b> 312:10 321:20 322:1
304:12,15 305:22	326:14 332:3,11 339:5	<b>2163836614</b> 329:13	323:10 345:3 346:3
306:14,17,22,25 307:4	341:4	<b>2166215161</b> 276:17	<b>50</b> 278:6 302:22 303:2

307:11  
**500** 333:24  
**51** 278:7 303:11,16  
**52** 278:8 307:17,22  
**53** 278:9 308:25 309:5  
311:12  
**54** 278:10 310:7,12  
**55** 278:11 312:7 321:13  
321:15  
**56** 278:12 322:9,14  
**57** 278:13 329:4

---

**6**

---

**65** 333:15,17,19,25

---

**7**

---

**7** 309:13,25,25  
**70** 333:16,17  
**75** 276:6

---

**8**

---

**8** 278:11,12 310:17  
311:16 312:18 321:16  
322:10,15 325:21  
334:22 337:8  
**800** 334:1  
**82112** 309:14,22 310:13  
**84** 306:4  
**8412** 305:7,19 306:1

---

**9**

---

**920** 276:6  
**9412** 305:20,21 306:1,17  
306:22,24 307:7,7  
**9th** 275:20 276:15